

1 NYS DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

2 BOARD OF PAROLE

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4 Parole Board Interview

5 In the Matter

6 -of-

7 Judith Clark

8 DIN #  
9 NYSID #



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10 TYPE OF INTERVIEW: Reappearance

11 LOCATION: Bedford Hills Correctional Facility  
12 Video-conferenced to NYS DOCCS  
13 314 West 40th Street  
New York, New York 10018

14 INTERVIEW DATE: April 3, 2019  
15 DECISION DATE: April 17, 2019

16 BEFORE: Commissioner W. William Smith, Jr.  
17 Commissioner Ellen E. Alexander  
Commissioner Tana Agostini

18 ALSO PRESENT: Jean Marie Baumann, SORC  
Nadine Lancaster, PA

19 PRESENT AT FACILITY: Joseph Greenfield, SORC  
20 Andrea Williams, ORC  
Marc King, ASAT Counselor

21 COURT REPORTER: Anthony D'Ambrosio, CSR

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1 BY COMMISSIONER T. AGOSTINI:

2 Q. Good afternoon.

3 A. Good afternoon.

4 Q. Your name, for the record, please?

5 A. Judith Clark.

6 Q. Ms. Clark, my name is Commissioner Agostini, and I'm  
7 joined this afternoon by Commissioner Smith, who is in  
8 the center.

9 COMMISSIONER W. SMITH: Good  
10 afternoon.

11 INMATE: Good afternoon.

12 Q. And Commissioner Alexander next to him.

13 COMMISSIONER E. ALEXANDER: Hello.

14 INMATE: Good afternoon.

15 Q. Okay. This is the first time that we are meeting  
16 with you as a Panel. This is a reappearance interview  
17 for you, as you know. This is a new day, a new  
18 opportunity. We will go over much of the same ground  
19 that has been covered in your appearance in 2017; we may  
20 also have some new questions. We have been going through  
21 a lot of material that we've received, you probably can't  
22 see, but we have many notebooks here that we've received  
23 from your attorney. I have three large binders. We have  
24 a variety of packets and corrected packets that we each  
25 have and have gone through. Transcripts from your last

1 interview, which is very thorough, we each read them in  
2 their entirety. Numerous submissions from various  
3 parties in support. Numerous submissions from various  
4 parties in opposition. And a lot of other documents.  
5 So, there's much here to go over today. I think the way  
6 I'd like to start off now is talking about the last two  
7 years since your last appearance.

8 A. Great.

9 Q. And I'd like to ask you to tell us what you have been  
10 doing in these last two years, what you would like us to  
11 know about you, who you are today, and what has  
12 transpired since the Board of Parole last met with you?

13 A. I think that, in some ways, oddly enough, they were  
14 the hardest two years I've ever done. In the sense that,  
15 before then, I was just facing the fact that I had a  
16 lifelong sentence and I had to sort of live this as my  
17 life, and then the hope of getting out raises all types  
18 of new feelings that were much more alive in me in the  
19 last two years. I think that one of the things that I  
20 tried to do, to kind of deal with that, all those  
21 feelings, for me, was to keep myself focused on the key  
22 issues that were raised at the board the last time and  
23 that are my key issues, which is the seriousness of my  
24 crime, the suffering of the victims, and any kind of  
25 reparative work I could do. One of the things that was

1 said in the decision last time, was that I needed to  
2 continue to express remorse and that I needed to continue  
3 to promote nonviolence, and to continue to try to reach  
4 out, in any ways that I could, to express my remorse for  
5 the crime. So, I took that to heart. One of the things  
6 that that led to, was finding out that there is  
7 something, that we didn't know about here, called the  
8 Apology Bank, which is set up from DOCCS, and I found  
9 that out actually quite recently. And so, I wrote a  
10 letter, and I have written a lot of letters to many many  
11 people about my crime and apologizing for my crime,  
12 including individuals within the [REDACTED] community, but  
13 I think that the way I approached this letter was as  
14 though each of the people who have lost their husbands  
15 and lost their fathers, or who themselves were maimed and  
16 terrorized that day, was sitting in front of me as I  
17 wrote the letter. And it brought back the intensity of  
18 my own sense of regret and remorse, and my own feelings  
19 of having to keep that front and center whenever -- you  
20 know, I may be fighting to get out of prison, but it has  
21 to be in the context of really being rooted in that  
22 reality. And the other thing I did a lot was, to try, as  
23 I always do, I guess for the many many years in here, is  
24 to take the remorse and use it to change my relationship,  
25 in particular, to law enforcement. And sometimes what

1 that means is, is how I am in the prison and my  
2 relationship to staff in this prison and a sense of the  
3 difficulties that officers face, that staff in here face,  
4 that the women face; often times the way that they take  
5 it out on staff, and I continued -- I work with the  
6 nursery mothers, but I keep trying to talk to people and  
7 myself about putting front and center, taking our own  
8 responsibility and not taking it out on others, on each  
9 other or on staff, and putting myself out to staff in  
10 that kind of way. And the other way that I think I most  
11 directly tried to address the issue for the harm I did to  
12 law enforcement, was through the work I do in Puppies  
13 Behind Bars. We expanded -- we expanded who we're giving  
14 our dogs to, to include First Responders. And so, last  
15 May we had our first, what's called team training, which  
16 is where the group of people who are going to get the  
17 dogs come into the prison and we work with them for two  
18 weeks. And in that team -- and in that team training, I  
19 was what's called the emcee, which kind of leads, I'm the  
20 person who leads the process, and it was a team training  
21 that included two retired policemen.

22 Q. Okay.

23 A. And so, it felt very personal to -- I spent two weeks  
24 with two people who faced the enormous scars and wounds,  
25 not just from their experience at the World Trade Center,

1 but also through their years in law enforcement. And we  
2 try, in that process, to really allow people the space to  
3 talk, and they were amazing. They were in a prison and  
4 they shared with us their experience and their feelings,  
5 their experience. One of them talked about surviving a  
6 situation where his partner was killed, and I remember  
7 going back to my unit that night and just weeping,  
8 because, you know, it was -- it was hearing the voice of  
9 my own victims. And I tried to, as I often do in many  
10 situations where I'm with law enforcement, be clear about  
11 my own enormous remorse and regret for what I did, and my  
12 respect for them. So, that's how I've tried to carry  
13 myself over these two years. And to -- and to continue  
14 to build support, to reach out, to build support so that  
15 some of the other concerns that were addressed by the  
16 Board, which included the fact that there is a lot of  
17 opposition. So, I spent a lot of time meeting and  
18 greeting people who work within the criminal justice  
19 system to try to see what they had to say about what they  
20 felt I could do, and to talk to them about my own  
21 feelings about the crime.

22 Q. Okay. And I'm glad that you have been very proactive  
23 in all of the areas that you just talked about. We did  
24 receive a copy of the apology letter that you wrote in  
25 the last two years. You're not the first person to tell

1 me that they were unaware of the Apology Bank. I'm glad  
2 to think that the women at Bedford Hills are now aware of  
3 the Apology Bank and the opportunity that it offers.

4 A. I actually went to the Superintendent about it,  
5 because she hadn't been aware either, and I spoke to my  
6 counselor, and I hope that we can do more here so that  
7 everyone really is aware of it. I think it's an  
8 important vehicle for us.

9 Q. Well, I agree, it most definitely is an important  
10 vehicle. But I had noticed that it was not the first  
11 time that you had apologized.

12 A. Yes.

13 Q. I think I read an article of apology and remorse that  
14 you wrote, I believe it was about 1994, was the first  
15 one.

16 A. Yes, yes.

17 Q. Another one that you had written to, it might have  
18 been the Poughkeepsie Journal in --

19 A. It was the Rockland Journal News.

20 Q. Rockland Journal News in 2002.

21 A. Yes.

22 Q. And there's been other statements that you have  
23 prepared, sometimes public, sometimes not public.

24 A. Yes.

25 Q. Over the years, and I think that those are important,

1 we have those in the record as well, and was encouraged  
2 that you had begun that process to express remorse  
3 publicly a long time ago, beginning in the '90s, and not  
4 just in these past couple of years.

5 A. Absolutely. Absolutely. I think it's been important  
6 to me both to be public about it, but also to try to use  
7 avenues that are legitimate in ways that are not so  
8 public, so that it doesn't feel like it's just me as a  
9 mouthpiece, but me from my heart speaking, as I feel  
10 about it.

11 Q. Okay. In some of the documents I've been reading,  
12 because there are so many documents that we've been  
13 reading here, one particularly of many that made an  
14 impression on me was your discussions with corrections  
15 officers, conversations and dialogue that you had with  
16 them, particularly in the time that you were in the  
17 S.H.U. for about 24 months, approximately. But I do  
18 believe that the corrections officers in Bedford Hills do  
19 reflect a larger community of law enforcement, and so,  
20 the opportunity -- I mean, one does not look as going to  
21 prison as an opportunity.

22 A. But it is.

23 Q. But it is an opportunity.

24 A. It is, absolutely.

25 Q. Some people, such as yourself, take advantage of this



1 opportunity, some do not.

2 A. Right.

3 Q. But I'm gathering, from the record and your efforts,  
4 that you have built relationships, not only with security  
5 staff at the facility, but with administration as well,  
6 some characterize as authority figures.

7 A. I think in the last two years, one of the things that  
8 has been interesting, is that many officers have known me  
9 for years and years, and so they wanted to talk to me  
10 both before I went to the board last time and then this  
11 last period, and I probably have had -- I've had so many  
12 conversations with officers, many of whom are often times  
13 older than my peers, so they can remember, you know, at  
14 least the times, if not the crime, and many of them have,  
15 you know -- I try to make myself -- I try to make myself  
16 open to them, to ask whatever questions they have, and  
17 it's been important for me to have those conversations  
18 with them, because, as you say, they are part of law  
19 enforcement. And also because they bring a particular  
20 perspective and they know me, many of them have known me  
21 for many many years, and we get to talk about that, too.

22 Q. Okay. Well, I'm glad to hear that. I often start my  
23 interviews asking how old someone is, and I did not ask  
24 you how old you are today.

25 A. I'm 69.

1 Q. 69 today. Okay. And how old were you when you came  
2 to the department?

3 A. I was just a month shy of 32 when I committed my  
4 crime, and I was two months shy of 34 when I got to  
5 Bedford.

6 Q. Okay. So, 31 at the time of the offense, and 33.

7 A. Yes.

8 Q. And the length of time served now, I believe, is  
9 approaching 38 years.

10 A. 38 years, yes.

11 Q. Okay. And I'm going to move on from these last two  
12 years, unless we have any questions in these last couple  
13 of years that my colleagues would like to ask at this  
14 time.

15  
16 BY COMMISSIONER W. SMITH:

17 Q. I do have just a couple of questions. This is  
18 Commissioner Smith. Good afternoon.

19 A. Good afternoon.

20 Q. We get a lot -- we get a lot of information. One of  
21 the nice things about the case is we've known that we had  
22 to review -- there's a tremendous amount of documents  
23 that the department has generated, your attorneys, who I  
24 think have done a fine job to help generate it, and we've  
25 had an opportunity to spend time, hours, maybe days

1 taking a look at some of the items. I just want to make  
2 sure that I'm aware, we get updated listings of what  
3 you've been doing. You mentioned the Puppies Behind Bars  
4 involvement, but you've also been, it looks like  
5 recently, an administrative clerk and you've been working  
6 as a clerk typist with the -- in the nursery mothers  
7 program, is that right?

8 A. Yes. I'm not sure it's called a clerk typist. I  
9 think I'm a clerk, because that's what they call it, but,  
10 basically, my job in the nursery is kind of an in-house  
11 elder mentor.

12 Q. Okay.

13 A. And also a facilitator of groups in the parenting  
14 center and with the nursery mothers.

15 Q. Okay. Not that you're typing, it actually lists  
16 clerk comma typist, so not that -- I don't know if you  
17 can type, I can't, I'm about 17 words a minute. My wife  
18 says I'll never get another job, so -- and I hope that's  
19 true. So, you're working with the nursery mothers?

20 A. Yes, yes.

21 Q. I just wanted to make sure, like, I was aware of  
22 that.

23 A. Yes, yes, I am.

24 Q. I know you had talked in the prior -- the prior  
25 appearance, and we've had a chance to review it, I think

1 it's 198 pages, talked about one of the individuals, or  
2 individuals who would assist in the birth, sort of like a  
3 midwife, only it's called, what, a Doula?

4 A. Doula.

5 Q. A Doula, D-o-u-l-a?

6 A. Yes, yes.

7 Q. So, I know you were involved in that previously. Are  
8 you doing any of that at this point, or no?

9 A. Yes, I continue to do that. The way that we do it  
10 here is -- the job of the Doula is to take care of the  
11 mother, so the mother can take care of the baby,  
12 especially in the immediate postpartum period. And so  
13 that's -- that's when I spend a lot of time with the  
14 women, because many things have come up to them in that  
15 period, and I also just try to work with them in terms of  
16 feeding the baby, care and feeding of the baby, and keep  
17 them focused in a difficult situation for them.

18 COMMISSIONER W. SMITH: Very good.

19 Thank you. Thank you, Commissioner.

20 COMMISSIONER T. AGOSTINI: Thank you,  
21 Commissioner. Commissioner Alexander?

22 COMMISSIONER E. ALEXANDER: No  
23 questions.

24 COMMISSIONER T. AGOSTINI: At this  
25 time. All right. Thank you.

1  
2 BY COMMISSIONER T. AGOSTINI:

3 Q. Now, Ms. Clark, I wanted to ask you about your  
4 earlier years in [REDACTED] and the beginning of your  
5 criminal history. I read a great deal about your  
6 childhood in the transcript and in the file, so I'm not  
7 intending to cover every bit of ground.

8 A. That's fine.

9 Q. That is in the record already. But in [REDACTED] you  
10 went to -- you grew up in New York and went to college in  
11 [REDACTED] is that right?

12 A. Yes, I did.

13 Q. And in 1969 you had some charges and convictions that  
14 resulted in three years of probation, nine months in the  
15 county jail.

16 A. Yes.

17 Q. And these included Aggravated Battery, Aiding Escape,  
18 Mob Action, Resisting Arrest, and Aggravated Battery as  
19 well. There's some other arrest charges, and they all  
20 relate to above or do not have an actual disposition, but  
21 can you tell us what was going on with you at that time,  
22 in 1969, 1970, in your life in Chicago?

23 A. All right. When I first moved to [REDACTED] it was to  
24 go to the [REDACTED], and I got there in 1967;  
25 and 1968 was kind of the beginning of a lot of the

1 student sit-ins, both in New York and in [REDACTED], and I  
2 participated in a sit-in in the very beginning of 1969,  
3 for which I got expelled. And at that point, I was a  
4 member of SDS, Students for Democratic Society, and my  
5 parents tried very hard to convince me to find a new  
6 school to go back to, but I was swept up in the  
7 revolutionary fervor and rhetoric that was kind of taking  
8 over SDS at the time, a particular portion of SDS called  
9 Weatherman, which, at that point, was not -- it was, you  
10 know, aboveground, but it was part of SDS, which was, you  
11 know, urging us to become full-time revolutionaries, as  
12 we called it. And so I joined the collective, I was 19,  
13 and we organized a series of demonstrations. We were  
14 very -- if we didn't -- if we didn't -- we didn't exactly  
15 go out to harm anyone, but we certainly went out with the  
16 idea of destroying property or being rabble-rousers,  
17 stopping -- stopping traffic, disturbing the peace in  
18 pretty offensive ways, I would say, and that's where  
19 those arrests came from. It was a series of  
20 demonstrations at the end of 1969.

21 Q. Did you say that collective was the Weathermen or  
22 that collective was the SDS?

23 A. It was -- well, at the time, Weatherman was SDS.  
24 Weatherman kind of took over SDS and turned it from a  
25 very large broad organization into a much smaller, what

1 we called cadre organization, where we lived, like 11  
2 people all lived in one apartment together and we got up  
3 every morning, we exercised. It was a very intensely  
4 militaristic sort of state of organization I would say,  
5 and very -- I had a broad range of friends and people  
6 that I had been part, you know, close to over the years  
7 and I really stopped relating to everyone except the  
8 people in that group, and it created kind of a cult like  
9 mindset for me, I would say.

10 Q. That was definitely the word I had been thinking of  
11 as I was reading through the evolution of the Weathermen  
12 over the years. And I, you know, imagine that that was  
13 not the language or intent at that time, but as somebody  
14 reading and learning of it, it does strike me very much  
15 as a cult.

16 A. It was very much like that.

17 Q. With the same sort of commitment and loyalty.

18 A. And sort of hierarchy and criticism, self-criticism,  
19 yes.

20 Q. All right. Question out of left field: Was this the  
21 era that the Democratic National Convention is in

22 [REDACTED] was that '68 or '72?

23 A. That was in '68.

24 Q. It was '68?

25 A. '68, yes.

1 Q. Okay. So, I'm just envisioning the era in which you  
2 were in college. I think that was a pretty famous  
3 convention in its day, and that was the environment as a  
4 teenager, as a student in your formative years.

5 A. Absolutely, yes.

6 Q. Okay. And you left college with this record, you did  
7 your probation in New York via -- or [REDACTED] via  
8 telephone from New York, right?

9 A. Yes. And actually -- so, I left college and was in  
10 the collective in '69, and I was -- it actually wasn't  
11 until 1970 that I went back for these charges, and that's  
12 when I did my nine months in Cook County Jail, and then  
13 moved back to [REDACTED]

14 Q. At the end of those nine months, you returned --

15 A. To [REDACTED]

16 Q. -- to [REDACTED]. Were you living with your parents at  
17 that time?

18 A. I was living with my parents for probably, it's hard  
19 to remember, but up to, maybe close to a year, I was  
20 living with my parents.

21 Q. Okay. We had to -- or the state of Illinois had to  
22 extradite you, to get you back to [REDACTED]

23 A. Yes, yes, so I went, but, you know, I split on my  
24 bond originally and --

25 Q. You absconded.



1 A. -- I was called underground.

2 Q. We call that absconding.

3 A. I'm sorry.

4 Q. We call that absconding, you fled.

5 A. Absconded, yes. Thank you. And I was arrested in

6 [REDACTED], and they extradited me back to [REDACTED] at  
7 the time, yes.

8 Q. Okay. Thank you. I wanted to clarify that, for the  
9 record.

10 A. Yes.

11 Q. So, in New York, you're from the [REDACTED], is  
12 it?

13 A. That's where I sort of ended up. When I first came  
14 back to New York, I lived with my parents in [REDACTED]  
15 and then I moved to [REDACTED] and eventually to the [REDACTED]  
16 [REDACTED].

17 Q. Okay. And did you enroll in college once you were in  
18 New York at that time?

19 A. No, I didn't. I worked. I never went back to  
20 school.

21 Q. Okay.

22 A. I think my mindset was that -- I think my mindset  
23 was, oh, I should just -- that college was a privilege  
24 that I shouldn't afford myself. It's a pretty stupid  
25 mindset. I can't imagine having that mindset. It's, of

1 course, the road to liberation, but it was my mindset at  
2 the time, so I didn't go back to school.

3 Q. Okay. But you were acquainted with members of the  
4 Weathermen in New York and got yourself -- and continued  
5 your involvement with the organization, is that right?

6 A. I was -- I was -- I was acquainted with people  
7 that -- some of them had a history with Weatherman and  
8 some had other histories, but we formed an organization  
9 called May 19th Communist Organization, and it very much  
10 had similar politics and also a way of organizing itself  
11 that was very very insulated, and unlike in the earlier  
12 period when you had lots and lots of people involved in  
13 the Movement, we're now moving into, you know, the mid  
14 '70s and late '70s, when most people were just trying to  
15 settle down, and we were saying, oh, no, we shouldn't  
16 settle down, we still have to make a revolution.

17 Q. It seems to me you were ramping up.

18 A. Absolutely. I think that -- that certainly was  
19 showing in my rhetoric and ultimately in my actions. I  
20 was ramping up, yes.

21 Q. Okay. So, in that decade between 1970, 1981, in  
22 those 10, 11 years back in New York, describe what your  
23 activities were with the organizations that you were in,  
24 because you clearly did move from the May 19th  
25 organization into the Weatherman organization and

1 eventually joined forces for the instant offense, but  
2 describe your activities during that decade?

3 A. I -- I actually -- I kind of was split into many many  
4 many aspects. So, some of what I did was, I did work on  
5 a number of challenges to -- I actually did prison work  
6 back then, it was after the Attica rebellion, and I was  
7 involved in some of the defense work there. I worked on  
8 a newspaper called The Midnight Special, which was also a  
9 vehicle for prisoners. And I also worked -- I supported  
10 a number of different people who were associated with the  
11 Black Liberation Army and other armed groups who got  
12 arrested. I would support them when they went to court,  
13 and I would raise bail, and I was a vehement supporter of  
14 those forces. All of which was legal activity, but all  
15 of which had the rhetoric that supported armed activity  
16 and illegal activity.

17 Q. When did your support cross over the line from legal  
18 activity into illegal activity?

19 A. Mostly, actually, I think before then. Probably the  
20 most I had ever done was, like I wasn't involved in the  
21 actual illegal activity. I was someone who like people  
22 would say, oh, can you go visit someone in prison because  
23 we need to get a message to them, or can you tell them to  
24 do something, you know, so I was visiting people in  
25 prison. So, I was connected to a sense of the illegal

1 activity, but I wasn't myself involved in it. I was  
2 doing the public work, supporting the illegal activity.

3 Q. What was the illegal activity that was going on  
4 around you that you, yourself, were not yet involved in?

5 A. I think that there was a sense that -- that people  
6 were building, like both in the Puerto Rican Movement and  
7 in the Black Movement, there was -- well, I mean, from  
8 the Puerto Rican Movement there were bombings going on at  
9 the time, from the Black Movement there was the building  
10 of that Black Liberation Army, and while I wasn't  
11 involved in it, I was a spokesperson that any time anyone  
12 got arrested, to say, you know, we have to support them,  
13 they have a legitimate right. So, I was rhetorically  
14 very much a front person to argue that, that it was  
15 legitimate to do this, and that we should support them in  
16 any way we can. We should raise bail, we should bring  
17 people to court, we should justify what they're doing.  
18 Q. Okay. And there were people -- there were, as you  
19 said, bombings, there were acts of violence that were  
20 going on at that time.

21 A. Right.

22 Q. So, it should -- it would seem to me that would have  
23 been an inevitability that you were going to cross that  
24 line, that there would come an opportunity for you to be  
25 more than a spokesperson, a visitor, a vehement

1 supporter, to being a person who takes part in a violent  
2 act, such as you did in 1981.

3 A. One of the things that I had to look at is that I,  
4 you know, I was in groups with people who had the same  
5 rhetoric I did and did the same public activities, but  
6 would not have allowed themselves to cross that line.  
7 Not necessarily because they thought it was wrong, but  
8 because they thought they didn't want to put themselves  
9 at risk, and I think that I -- I wasn't -- to the extent  
10 that I had any fear, I wasn't willing to respect the fear  
11 or have that fear to make me question anything. I feel  
12 like other people had much better boundaries than I did,  
13 I guess is what I would say. So, I was someone who said,  
14 well, if I say this, then I have to be willing to do  
15 this, I guess is what I would say.

16 Q. It seems like you had no boundaries. I mean, the  
17 only thing that bounded you is when the law got you.

18 A. I think that's true. I think that's true, yes.

19 Q. And when I think about 1981, I think about the No  
20 Nukes March, I think Ronald Reagan was president, John  
21 Lennon had been killed, which is a far cry from Chicago  
22 in the 1960s, and Vietnam, and the various other things  
23 that were going on in that era. And yet, you and your  
24 colleagues were still in a mentality of fighting a war  
25 that was not here.

1 A. Right, right, I thought there was this war going on  
2 and -- it's crazy. You know, when I look back on it and  
3 I just, you know, there was nothing in the world going on  
4 around us that could justify thinking that, and in that  
5 sense, that way of being so, you know, in my own, you  
6 know, in our own mindset, where, you know, and I parodied  
7 that and I believed it. It wasn't just like, you say  
8 this, Judy. I believed it, I totally couldn't -- I  
9 wasn't -- I didn't let anything -- the reality of the  
10 world intervene with that way of thinking.

11 Q. Right. And I've read that you referred to yourself  
12 in the last interview as a zealot.

13 A. Absolutely, in that sense of unthinkingness, you  
14 know, just being moved by my feelings in a way.

15 Q. And so, the plan to rob the Brinks armored truck came  
16 to you from whom?

17 A. A man named -- I knew him as [REDACTED] I cannot  
18 actually remember his other name. I know it's in the  
19 transcript from the last time, but I knew him as [REDACTED]  
20 and he was someone that I knew from having been around a  
21 black acupuncture program up in [REDACTED]

22 Q. Is this [REDACTED] [REDACTED]

23 A. No, no. [REDACTED] [REDACTED] -- oh, my. This is happening  
24 to me at my age, I have to confess, names keep going out  
25 of my head, but at the time I knew him as [REDACTED] but I

1 know that when I used that name in the board, they did  
2 give me the real name.

3 Q. Okay. I have the prior transcript here, [REDACTED] is  
4 [REDACTED].

5 A. Yes, yes.

6 Q. Okay.

7 A. So, he's the person that came to me and said that  
8 they were planning to do a robbery of a Brinks truck and  
9 that the way they did -- what they did was, they had a  
10 group of black men commit the robbery and a group of  
11 white people be the getaway drivers, and they needed me.

12 Q. And [REDACTED] was a member of the Weatherman?

13 A. No. He was connected to the Black Liberation Army.

14 Q. Okay.

15 A. I'm not sure the Weathermen, per se, existed. I  
16 mean, I know that they say that the crime was committed  
17 by a combination of the Weathermen and the Black  
18 Liberation Army, I think that's because those of us who  
19 got arrested had that history of the Weathermen, but we  
20 weren't really, you know, we were operating differently  
21 by then, we were not, you know, but he himself was part  
22 of the Black Liberation Army, or connected to the Black  
23 Liberation Army.

24 Q. Okay. And so, was he the person, to the best of your  
25 knowledge, who had also approached other members who had

1       been part of the Weatherman as well to --

2       A. I didn't know -- I actually didn't know who that  
3       would be, because the way that they operated, in a very  
4       sort of militaristic way, was each -- each person was  
5       dealt with as an individual and only knew what was going  
6       on between you and your individual. So, was [REDACTED] the  
7       person who approached other people, I actually don't know  
8       if that's true, but he's the one that approached me.

9       Q. Okay. Fair enough. And so --

10                       COMMISSIONER E. ALEXANDER: Can I ask  
11       a question?

12                       COMMISSIONER T. AGOSTINI: Sure.  
13       Commissioner Alexander.

14  
15       BY COMMISSIONER E. ALEXANDER:

16       Q. When did he approach you?

17       A. Probably two days before the actual robbery.

18       Q. Only two days before. And did you -- did you -- what  
19       questions did you ask?

20       A. I mean, I was sort of surprised, but I didn't ask,  
21       but my sense was like maybe something had happened that  
22       all of a sudden they needed someone. It was kind of like  
23       that. It was like, we just need you to be a backup to a  
24       backup, you know, and I asked almost no questions, to be  
25       honest. I think I said, well, you know, I don't know,



1     you know, I don't know anything about that kind of  
2     situation. And he said, well, I'll show you, you know,  
3     we'll go up there, I'll show you where you need to be,  
4     don't worry, you just have to be a backup, we just need  
5     you there as a backup.

6     Q. So, did you go up with him before October 20th?

7     A. I made one drive up with him.

8     Q. Okay.

9     A. And he just showed me a parking lot where I was going  
10    to keep -- where I was going to be with my car.

11    Q. He took you to the parking lot by the [REDACTED] [REDACTED]

12    A. Yes.

13    Q. Okay.

14    A. And he said, you know, down there is where the  
15    robbery will be, and then you're going to see a -- a van  
16    driving away and follow the van.

17    Q. So, you would -- you would drive the same car from  
18    New York up to Rockland County?

19    A. Yes.

20    Q. And wait in the parking lot?

21    A. Yes.

22    Q. And then you were told to follow a van?

23    A. The van, yes.

24    Q. A U-Haul van or a red van?

25    A. A red ran.

1 Q. A red van. And you would just follow them, because  
2 there was no GPS, so --

3 A. No, absolutely. So, I would follow the van to what  
4 they called a switch up point, and then follow them from  
5 the switch up point.

6 Q. Okay. And so, when he told you about this crime, did  
7 he say why they wanted to rob the Brinks truck?

8 A. I think that -- I can't remember what he said and  
9 what I thought separately, which was, you know, that  
10 these -- that these robberies, you know, that this was  
11 for -- to get money for the struggle, you know, that  
12 there were people in desperate situations that were  
13 underground and trying to build an underground and they  
14 needed money, and so this is what it was for.

15 Q. And you were to drive there alone?

16 A. Yes.

17 Q. Did he get you the car?

18 A. No, I borrowed the car from a friend.

19 Q. Okay. So, he asked you to borrow a car?

20 A. Yes.

21 Q. Or get a car?

22 A. Yes, right, and I did.

23 Q. Okay. And you brought nothing with you?

24 A. No.

25 Q. The record is a little unclear.

1 A. I understand that.

2 Q. So, what did you bring with you that morning, or that  
3 afternoon?

4 A. I brought myself. I did have some kind of, I can't  
5 remember what kind, but a purse with me. I remember  
6 thinking, you know, I had my own ID, because I didn't  
7 have any other ID, so I was certainly hoping that I would  
8 never get stopped. I don't remember anything else that I  
9 had with me.

10 Q. Okay. You know, it does sound a little unbelievable  
11 that someone would simply, living in New York, would  
12 drive up to Rockland County with an individual the day  
13 before this, the day before or two days before.

14 A. Two days before.

15 Q. Not having -- did you bring a map?

16 A. I'm sure there was a map in the car, but it does  
17 sound unbelievable, it's crazy, but it's -- all I can say  
18 is, this sense of like, well, they're in charge and I'm  
19 just going to do this thing of being -- and they kept on  
20 saying, you're going to be the backup there. I said,  
21 well, what's going to happen. They said, well, if all  
22 goes well, nothing is going to happen, we're not going to  
23 even -- there's another getaway that we'll be in, but we  
24 just need to know that there's a backup in case we need  
25 that. So, if you just follow us when we leave, we'll

1     come in and we'll get out. So, in that sense, like, you  
2     know, once after the shoot-out -- so, that's really how  
3     it happened. I didn't -- I didn't think about the fact  
4     that -- I felt like they were in charge and they knew  
5     what they were doing.

6     Q. Okay. So, I don't want to get into the crime, I'm  
7     just trying to understand what happened beforehand.

8     A. Right.

9     Q. So, I think you said that you knew you were a backup.  
10    So, did you know there was another getaway, quote,  
11    unquote, getaway driver, is that what you meant?

12    A. I assumed there was, yes, I assumed there was. I  
13    didn't know who, but I assumed there was.

14    Q. He didn't tell you?

15    A. He said that they needed -- he said we just need to  
16    have you as a backup, because we would like to have a  
17    backup in case anything goes on, but the idea -- as far  
18    as I knew, when I went to the switch up point, I didn't  
19    think that anyone was particularly going to get into my  
20    car. I was just going to follow along. So, in that  
21    sense, I knew that there was other getaway drivers, yes.

22    Q. Okay. I'm just trying to understand what you knew  
23    ahead of time and then we'll get into the crime.

24    A. I knew there were going to be other getaway drivers,  
25    or driver, I definitely knew that.

1 Q. Okay. And did you know that other people would be  
2 armed and would have, you know, vests and -- did you know  
3 that?

4 A. I knew they were going to be armed, yes. I knew that  
5 it was an armed robbery, I did.

6 COMMISSIONER E. ALEXANDER: Okay.

7 Thank you.

8 COMMISSIONER W. SMITH: I just had a  
9 question. In the last appearance you talked about  
10 this [REDACTED] having been shot and killed in some  
11 kind of a separate incident. What was that?

12 INMATE: I think that in the days  
13 after the crime, they were piecing together, police  
14 were piecing together what happened, and I think  
15 that he was apprehended with someone else, I can't  
16 remember who it was, and I assume that it was a  
17 shoot-out, but he was shot at that time.

18 COMMISSIONER W. SMITH: Okay. So, it  
19 was in relation to this investigation?

20 INMATE: Yes, yes.

21 COMMISSIONER W. SMITH: Thank you. No  
22 other questions.

23  
24 BY COMMISSIONER T. AGOSTINI:

25 Q. Thank you, Commissioner Smith. So, Ms. Clark, it's

1 1981, [REDACTED] has come to you two days, we believe -- you  
2 believe, prior to the event, you hop in his car with him  
3 and go up to Rockland County that same day.

4 A. Yes, either that day or -- yes, I mean, either --  
5 yes, I think it was probably that day. It may have been  
6 a day later, but I don't think it was the day right  
7 before this, is the only reason why I think it was that  
8 day, yes.

9 Q. Okay. And then you acquire a vehicle the next day?

10 A. Yes.

11 Q. Now, were you armed?

12 A. No.

13 Q. But, you had said a moment ago that you knew others  
14 would be armed.

15 A. Yes. The idea of it was that the people who were  
16 doing the robbery, it was an armed robbery and they were  
17 armed, and I was a, you know, a white person who wouldn't  
18 be seen as -- as suspicious, because of who was actually  
19 doing it. And so, my role didn't include being armed.

20 Q. Okay. But clearly you were perfectly okay with an  
21 armed robbery taking place.

22 A. Yes, yes.

23 Q. Knowing that people could get hurt, as they did.

24 A. Yes.

25 Q. And the purpose of this was to expropriate funds for,

1 explain it again, what it was for?

2 A. For building the Black Liberation Army and other, you  
3 know, political activities. But, I mean, that's why on  
4 the one hand I say I wasn't armed, and on the other hand  
5 I would say I feel as responsible for it, because I  
6 didn't go into it sort of saying, oh, I didn't know. I  
7 feel like I knew enough to have questioned everything,  
8 like why do we need to -- why do we need to do armed  
9 robberies, you know, what could happen if something --  
10 when he kept saying we just need you as a backup, I could  
11 have said, well, what happens if something happens, could  
12 someone get hurt, you know, how do people feel about  
13 that. I mean, there are a thousand questions looking  
14 back that I should have had that I didn't.

15 Q. Right. And clearly you were intelligent enough to  
16 have had those questions. You didn't ask them --

17 A. Absolutely.

18 Q. -- in part because you weren't interested in the  
19 answers.

20 A. I think I didn't want to ask them because I didn't  
21 want to appear -- I think all I thought about, which is  
22 awful to realize, but all I thought about was, do I  
23 appear to be stand up, do I appear to be strong in my  
24 support and my willingness to do this, and that was the  
25 only question I let myself ask, instead of: Why are we

1 doing this? Why should I do this? Don't you know I just  
2 had a baby? I mean, a million questions that you don't  
3 even get to the fact of, well, wait a second, you know,  
4 what about if someone gets hurt.

5 Q. Right. And I have read through your remarks about  
6 being fearless and being strong, being a tough person,  
7 having a tough stance at that time. The most fearless  
8 and bravest people here, of course, were the officers who  
9 responded to this invasion, basically.

10 A. Absolutely.

11 Q. In their community and in their homes of the  
12 various -- there were six other persons, besides  
13 yourself, right, in the multiple vehicles. The bravest  
14 people here, the real tough guys, were the ones who  
15 responded.

16 A. Absolutely.

17 Q. Who worked in the community trying to keep everybody  
18 safe.

19 A. Absolutely.

20 Q. Apparently from people like yourself and your  
21 friends.

22 A. Absolutely. And, in fact, there was nothing fearless  
23 about my stance. My stance was completely cowardly, you  
24 know, to not ask the questions that I could have asked,  
25 is a cowards way, not a fearless way.



1 Q. And so, there has been much said about a weapon that  
2 was found in your vehicle under the driver's seat, was  
3 it?

4 A. I know it was under the seat. I don't know where  
5 exactly they found it.

6 Q. It was under one of the seats. In the end, it was  
7 [REDACTED] who was in the vehicle with you and another  
8 co-defendant in the backseat.

9 A. Yes.

10 Q. So, the persons had changed vehicles. So, you had  
11 been alone in your vehicle --

12 A. Yes.

13 Q. -- prior to the activity of the robbery itself and  
14 the shoot-out. And then in the getaway portion, two of  
15 the co-defendants entered your vehicle?

16 A. Yes.

17 Q. And when you were -- after you had crashed the  
18 vehicle and were arrested, there was a weapon found, and  
19 the ammunition for that weapon was in your handbag.

20 A. Yes.

21 Q. You have repeatedly stated that that was not your  
22 weapon.

23 A. Correct.

24 Q. Can you explain to us what your thoughts are on this  
25 weapon, how is it that it is not your weapon?

1 A. All I can say is that when I started out that day,  
2 there was no weapon in that car. I can't say how it  
3 ended up there. I know that that day was incredibly  
4 chaotic, as it got more chaotic as it went along, and my  
5 own intense panic was greater and greater, and I only  
6 became aware of it when -- once we were apprehended and  
7 we were in the police station. That's when I became  
8 aware of it.

9 Q. Okay. And at the time that the officers, Officer  
10 [REDACTED] and Sgt. [REDACTED] were shot, they were shot  
11 in the second scene, is that correct?

12 A. Correct, yes.

13 Q. And in the first scene, was Brinks guard [REDACTED]

14 [REDACTED] --

15 A. Yes.

16 Q. -- was shot, and [REDACTED] was injured.

17 A. Yes.

18 Q. And [REDACTED] was injured as well.

19 A. Yes, and I believe that Officer [REDACTED] was also  
20 injured.

21 Q. And at that time, in the first scene, in the first  
22 instance of the shooting, where were you located?

23 A. I was in the back of the parking lot, sort of -- it  
24 was up a hill, so I could see -- I could see the pathway  
25 they would take out, and that's where I was. I'm bad

1 with distance. It felt like a pretty long distance away,  
2 but I couldn't -- I had a visual.

3 Q. Okay. And I have read through this at great length,  
4 so the questions I'm asking you I'm aware of your prior  
5 answers and what has also been written, you know,  
6 elsewhere in the history and the record here. And so,  
7 tell us now, what are your thoughts and feelings about  
8 the men whose lives were lost so brutally, so painfully,  
9 so unnecessarily?

10 A. First of all, I just want to say that there is no  
11 regret that -- no greater regret that I have in my life  
12 that they lost their lives that day, and when I think  
13 about them -- I learned a lot about them over the years,  
14 and, you know, I think about them leaving their homes  
15 that day and just expecting it to be a normal day in a  
16 suburban community, and then having facing this  
17 incredible onslaught that they could have nothing --  
18 no -- no way to prepare for, or no expectation, and I  
19 think about both the -- the three men who lost their  
20 lives that day, [REDACTED] and [REDACTED] and [REDACTED]

21 [REDACTED] And I also think about the trauma of those who  
22 survived and were there that day, and what that's like as  
23 well. And I think about the fact that all of them had  
24 children, all of them had three children and all of them  
25 were married, and that those children were terrorized

1 that day too, you know, that they had to know ultimately  
2 that their fathers were attacked, and what did that mean  
3 and what was going to happen, and how did they know that  
4 the next day they were going to be okay, and how did they  
5 know that their mothers were going to be okay. And I  
6 also know that both of those officers didn't just take  
7 care of their own children, that they both had extended  
8 families, and that, you know, over the years I have heard  
9 from -- I was visited by -- by a man who ultimately was a  
10 corrections officer in the county jail, but he was -- [REDACTED]  
11 [REDACTED] and he said  
12 that he was -- he was the first black officer in that  
13 community and that he took care of a lot a lot of  
14 youngsters and was their father figure. So, I just feel  
15 like the -- just the horror of imagining that everything  
16 I've just said about them, or about them as people, and  
17 it took me a long time to just recognize they were  
18 people, you know, people who were living these lives that  
19 were difficult and courageous, and that they -- that  
20 their lives were cut off, and that so many other people's  
21 lives were completely affected by that. And I feel  
22 ashamed, and it still hurts to talk about it, and I can  
23 go through this kind of, you know, description of the day  
24 over and over again, but in the end, that's what I think  
25 about, is that they didn't survive and I did. And I

1 would continue to say, as I always have, that I'll hold  
2 that with me no matter what happens in my life here, out  
3 there, as well as the desire to, you know, extend myself,  
4 in any way that is meaningful, to any of the survivors  
5 and families.

6 Q. And I appreciate those remarks. When I think about  
7 [REDACTED] as you just pointed out, was the  
8 first African American officer in his community there, he  
9 strikes me as a real revolutionary, as a very brave man  
10 who created change with nonviolence as a great power of  
11 example.

12 A. Absolutely.

13 Q. To his children, to the community, to his colleagues,  
14 and the public.

15 A. Absolutely. And my father was the first person, he  
16 came to me in the days after I was arrested and he  
17 screamed at me. And one of the things he said is, you  
18 call yourself a revolutionary, supporting black  
19 revolution, and you kill a black man. You call that a  
20 revolution. I mean, he was -- and it was unbearable to  
21 hear him at the time. It took me a long time before I  
22 could really take that in and realize the truth of what  
23 he said, but I live with it always, not just on this day  
24 that I speak to you about it.

25 Q. Okay. Let me pause for a moment and check with my

1 colleagues, if they have questions that they would like  
2 to ask you at this time.

3  
4 BY COMMISSIONER W. SMITH:

5 Q. I have just a couple of brief questions. You talked  
6 about this [REDACTED] he was, in a matter of the  
7 investigation to try to solve this, he was -- he was  
8 involved in some sort of shoot-out with I think another  
9 individual too, right?

10 A. Yes, yes.

11 Q. Who was that?

12 A. I think he was arrested with a man named [REDACTED]

13 [REDACTED].

14 Q. Okay. And the -- that was one of the co-defendants  
15 that you had. [REDACTED] is actually [REDACTED]  
16 right?

17 A. Yes, and he was originally a co-defendant. His case  
18 ended up being part of the federal case.

19 Q. [REDACTED] or [REDACTED]

20 A. [REDACTED] right.

21 Q. Okay.

22 A. His case was -- he was charged under the -- the case  
23 was split into two cases, the state case and the federal  
24 case, and he was charged in the federal case.

25 Q. Right. And that shoot-out happened later, some --

1 some period of time. About how long after?

2 A. I think two or three days after.

3 Q. Okay.

4 A. Or maybe a week, but very much in the aftermath.

5 Q. Right. Now, you had not -- you had not been  
6 cooperating with the federal authorities, right?

7 A. No, I hadn't been.

8 Q. So, because of that, you weren't -- you weren't  
9 helpful in them necessarily being able to resolve the  
10 situation with both of those individuals, led to a death,  
11 be it another individual with you, and -- and -- and huge  
12 danger to a, you know, to any -- any force that was  
13 trying to do it.

14 A. Correct.

15 Q. So, I mean, your silence and unwillingness to what --  
16 even if -- even if you didn't think it was going to blow  
17 up as bad as it did, created more difficulties.

18 A. Right, yes.

19 Q. I know, you know, at 19, you know, I'm aware of a lot  
20 of what happened in the '60s and '70s, at 19 -- we even  
21 deal with homicides, individuals that are under 18, by  
22 law we have to deal with them different. The brain is  
23 not fully developed, they're irrational, they don't think  
24 about what maybe the consequences are, you know, you  
25 have -- you have the arrest and you have the -- the

1 bringing back to New York State at 21, I mean, at that  
2 point you can be, at 21, if you want to be a change  
3 agent, you can be -- I think you can be a New York State  
4 Senator, you can be a -- you can be a New York State  
5 Assembly person, you can be whatever.

6 A. Correct.

7 Q. There's a number of things. Then you have -- then  
8 you have, further on, you know, this had happened when  
9 you say when you were 31. I mean, at 30 years old -- the  
10 other thing that's kind of amazing, by '81, it's a lot  
11 different than '69, that was mentioned before.

12 A. Correct.

13 Q. I mean, I can tell you things I did in the mid '70s,  
14 growing up in an inner city, being very close with  
15 individuals who were minorities that I played sports  
16 with. Some even -- I -- I can remember a little bit of  
17 civil disobedience at my high school and -- but, you know  
18 what, by '81, it was gone, I mean, that stuff was gone.

19 A. Right.

20 Q. My ping pong ball wasn't going to come up for me to  
21 have to go to Vietnam, well, it came up, but it wasn't  
22 low enough. You know, at 30 or 31, you can be the  
23 Governor of this great state, I mean, you can, it's not  
24 even -- you're not a child. Your brain has been pretty  
25 well developed, I mean, and even after that, I mean, I



1 know eventually we're going to talk a little bit about,  
2 you know, just activities inside early, you know, some of  
3 your change has been mentioned in S.H.U., but -- but, I  
4 mean, you could have made a choice right then to stop the  
5 pain that even happened to your own -- your own fellow  
6 people.

7 A. Right.

8 Q. Why not? Why not?

9 A. I completely agree with what you're saying and have  
10 many times sort of seen the moments when I could have  
11 shifted, and in some ways, like before the crime, you  
12 know, when I first got out of jail and came back to New  
13 York, I did see myself as shifting in the sense that I  
14 was trying to address some of the same issues, but in  
15 legitimate ways. But I think that, and this goes back to  
16 things that we haven't -- I mean, when I tried to ask  
17 myself that question, once I did finally relent, I said,  
18 well, why couldn't I see any of this, why couldn't I see  
19 it, and I think that -- two things that I do know, and  
20 one is that, one, I was affected by my childhood  
21 experience with my parents, who did go through a profound  
22 change, which I didn't -- which somehow in my childhood  
23 mind, I felt that they had given up on something, a dream  
24 that was important. And so, I felt all along that while  
25 I watched other people kind of get -- settle down and go

1 do legitimate things, that I wasn't willing, that I was  
2 special, I was one of those special people who wouldn't  
3 give up the dream. And that sounds so crazy and it is  
4 crazy in a way, but it was so deep in my way of thinking  
5 that it meant that I couldn't -- I couldn't question  
6 anything, because then maybe everything would fall apart.  
7 And the other thing I would say is that I -- and I've  
8 said it in my Affidavit many years ago, that I was, you  
9 know, that I can't say, you know, I was youthful in this.  
10 I was 30 years old, I was 31, but in a certain way I had  
11 so much stayed involved in these very small insulated  
12 groups, that I had never become an individual speaking as  
13 an -- thinking about myself and thinking about my choices  
14 as an individual, that I had given up my autonomy. And I  
15 don't -- that's not an excuse, that's a choice. I've  
16 watched friends of mine who said, I'm out of here, I'm  
17 out of here, and I didn't, you know. So, that's the  
18 choice that I made each time, and I think that it meant  
19 that ultimately, and I just said this to another woman  
20 who was waiting for the board with me, I said, you know,  
21 she was saying 35 feels old. I said, I feel like I  
22 started to take on the responsibility of being an adult  
23 when I was 35.

24 COMMISSIONER W. SMITH: Thank you.

25 Thank you, Commissioner.

1  
2 BY COMMISSIONER T. AGOSTINI:

3 Q. Thank you, Commissioner. And I would have to say  
4 that strikes me as a very accurate statement, because  
5 while you were, you still are, but you were a very smart  
6 woman in those years. In reading through the material,  
7 you struck me, honestly, as very immature.

8 A. Very immature.

9 Q. Extremely immature in those years at age 31.

10 A. And not be, you know, be responsible for myself, and  
11 just say, you know, what do I think or -- I always had to  
12 feel like, you know, am I doing what the group expects of  
13 me, and do I make other people do what the group -- and  
14 that's a very very -- I mean, it allows me to talk to  
15 young people in here who are in the same position, but it  
16 definitely is how I felt about myself.

17 COMMISSIONER T. AGOSTINI: Okay.

18 We've been talking for one hour. I would like to  
19 take a ten minute break. Some of us may need to use  
20 the restroom.

21 INMATE: Sure.

22 COMMISSIONER T. AGOSTINI: Rest our  
23 fingers for those who are transcribing and typing  
24 this interview today.

25 INMATE: Absolutely.

1 COMMISSIONER T. AGOSTINI: So, let's  
2 regroup in ten minutes, okay?

3 INMATE: Thank you so much.

4 COMMISSIONER T. AGOSTINI: Thank you.

5 INMATE: Thank you.

6 (Whereupon, a short recess was then  
7 held, after which the following took place:)

8  
9 BY COMMISSIONER T. AGOSTINI:

10 Q. All right. Good afternoon again.

11 A. Good afternoon.

12 Q. All right. We're going to reconvene, if you're  
13 ready.

14 A. Yes.

15 Q. Okay. Very good. And Commissioner Alexander had  
16 some questions, so I'd like to turn it over to her.

17  
18 BY COMMISSIONER E. ALEXANDER:

19 Q. I just want to make sure we all understand the day,  
20 October 20th, okay?

21 A. Yes.

22 Q. So, I think you said that you were far enough away  
23 from the [REDACTED] [REDACTED] that -- did you know that shots went  
24 out?

25 A. I've often asked myself that question, because in my

1 mind, I said, I must have heard that shot, I mean, you  
2 can be very far away and still hear a gunshot.

3 Q. Right.

4 A. So, I have to believe that I did hear a shot. I  
5 didn't see it, but I have to believe that I heard it,  
6 just because I know how -- how loud gunshots are.

7 Q. Okay. Now, who did you follow again?

8 A. So, I followed the red van that they all -- the  
9 robbers jumped into a red van and they drove out in the  
10 direction where I was, and I followed that van.

11 Q. Okay. Did you see how many people got into the red  
12 van, or could you not see that?

13 A. I didn't see that.

14 Q. Okay. But, your job, you were told to follow the red  
15 van?

16 A. Which I did to a switch up point, yes.

17 Q. Okay. Was there any other car following the red van?

18 A. I don't think at that point I saw any other car  
19 following the red van.

20 Q. Okay. So, you followed the red van. Did you go down  
21 [REDACTED] towards the thruway, if you recall?

22 A. I went -- we didn't go directly to the thruway. We  
23 stopped at a switch up point.

24 Q. Okay. So, the red van and you went to a switch up  
25 point, and who joined you at the switch up point?

1 A. So, that's where they went into a U-Haul, they went  
2 into the U-Haul there.

3 Q. Okay. Did they leave the red van on the side of the  
4 road?

5 A. I assume so. I think we were in the back, like it  
6 was sort of -- I don't know if it was a parking lot, but  
7 there was sort of an area and I think that they left the  
8 red van there, yes.

9 Q. Okay. And they went into the U-Haul?

10 A. Yes.

11 Q. Did anybody switch anything into your car at that  
12 point?

13 A. Yes, yes, they switched the money bag into my trunk.

14 Q. Okay. Do you know who opened your trunk?

15 A. I remember them asking me this the last time and I  
16 remember saying [REDACTED] but I then remember realizing  
17 that I have no idea. I think -- first of all, I didn't  
18 really know most of the people, and by that point, I was  
19 kind of in a state of shock and confusion myself, so I  
20 don't have any memory of who actually did that or even  
21 how they did that.

22 Q. Okay. Why were you in a state of shock and  
23 confusion?

24 A. I was scared, I mean, I was just scared, that's all.

25 Q. What were you scared of, that's why I'm asking you

1 whether you saw or heard anything at the mall?

2 A. I don't remember if I -- I certainly didn't know that  
3 anyone was killed at the time. I could very well have  
4 heard shots. I just know that I felt scared. I just  
5 felt like I was...

6 Q. Okay. So, at the switch up point, do you recall if  
7 anyone put anything into the interior of the car?

8 A. No, I don't remember anyone doing that.

9 Q. Just your recollection is only the trunk?

10 A. Yes.

11 Q. So, if any other material that you did not bring  
12 ended up in your trunk, it did not happen at the transfer  
13 point?

14 A. Not -- not -- not that I remember. It may have  
15 happened. I honestly don't remember.

16 Q. Okay.

17 A. I just remember that they put -- and I only remember  
18 that because I wasn't expecting it and then it happened.

19 Q. Okay. So, you're still by yourself after they put  
20 something in your car?

21 A. Yes.

22 Q. And you're at the transfer point, what happens next?

23 A. So then we drive. So, I drive following, at that  
24 point there was a U-Haul, I think there was another car  
25 and there was me. So, there's now three vehicles and I'm

1 the last vehicle.

2 Q. Okay.

3 A. And we're driving, and now we're driving towards the  
4 New York Thruway.

5 Q. Okay. And there was a road called [REDACTED]  
6 or something?

7 A. I think that's, [REDACTED] is where -- so,  
8 we're driving along a rather wide, you know, road, if it  
9 wasn't a highway, toward the actual highway, and we get  
10 to the highway and there's a -- the ramp, and there's  
11 a -- there's a roadblock.

12 Q. Okay.

13 A. So, the U-Haul drives up to the roadblock and I  
14 turned toward the left, toward another road. I think  
15 that was [REDACTED] I believe.

16 Q. Okay. Could you see what was happening to the  
17 U-Haul?

18 A. I couldn't. I didn't have a -- I didn't have a clear  
19 view of everything happening. I could see the U-Haul  
20 itself, and I could see -- and I could see when people --  
21 and I could definitely -- I mean, I definitely knew when  
22 that shoot-out happened, I definitely heard that.

23 Q. Okay. The Oldsmobile, which I think was the other  
24 car, you were in the Honda.

25 A. Yes.



1 Q. Was the Oldsmobile with you or was it closer to the  
2 U-Haul, or you don't know?

3 A. I think that the Oldsmobile followed them, followed  
4 the U-Haul to the actual, you know, to the roadblock.

5 Q. Okay. So, how did those two gentlemen, [REDACTED]  
6 and I think Mr. [REDACTED] who also was known by another  
7 name.

8 A. Mr. [REDACTED]

9 Q. Mr. [REDACTED] entered your --

10 A. Is who entered my car.

11 Q. How did --

12 A. They were --

13 Q. Okay. Let's each one of us talk at a time.

14 A. Yes. I'm sorry. Yes. Yes.

15 Q. I apologize. How did they get into your car if you  
16 weren't that close to the U-Haul?

17 A. So, they were up a slight incline and I was at the  
18 bottom of the incline, and after the shoot-out, they ran  
19 toward my car and got into it. So, it was -- it was -- I  
20 don't want to say it was so far away that they couldn't  
21 run to it. It just wasn't at the exact scene. It was on  
22 another road, and they did, they ran down the incline and  
23 jumped into my car.

24 Q. Okay. Do you remember opening the car, were you  
25 driving with the doors open or --

1 A. You mean, how they got into the car?

2 Q. Yeah.

3 A. I'm sure I opened the car for them. Do I remember  
4 it, no, but I must have, because they came in.

5 Q. Did you recognize them?

6 A. I recognized -- yes, I did recognize them. I  
7 recognized both of them.

8 Q. How did you -- how did you know them, from your past?

9 A. I knew [REDACTED] [REDACTED] from my past. I don't know if I  
10 immediately realized that's who it was, but I certainly  
11 realized who it was as we were driving, and I recognized  
12 Mr. [REDACTED] from seeing him up at the acupuncture clinic.

13 Q. Okay. Because, you know, when we started this  
14 interview, we talked about the fact that you said you  
15 didn't know anybody else involved except this one  
16 gentleman. So, why was it okay to open your car for  
17 these people?

18 A. Well, I didn't know. The only person I had talked to  
19 before the crime was [REDACTED] When the crime happened,  
20 as it happened, I knew there were other people involved.  
21 I didn't know who it was, like I didn't know [REDACTED]  
22 [REDACTED] was involved until he ran, but I knew other  
23 people were. So, I wasn't surprised when I saw them. I  
24 guess I was surprised when I saw [REDACTED], but I just -- I  
25 just hadn't known that they particularly were involved

1 until they ran into my car, basically.

2 Q. Okay. So, they run into your car. Are they carrying  
3 anything?

4 A. I don't remember.

5 Q. Okay. And did they say anything to you?

6 A. Drive.

7 Q. Okay. They didn't say, oh, my God, someone got shot,  
8 or drive, or go fast, or, shit, we're in trouble?

9 A. I remember drive. I remember [REDACTED] [REDACTED] saying drive.

10 I remember at some point my saying, I have no idea where  
11 I'm going, and I remember one of them saying just drive,  
12 you know, but I think -- I actually -- that's all I  
13 remember.

14 Q. Okay. And what happened next?

15 A. I drove along the same road, somewhat panicked about  
16 the fact that I didn't know where I was going, and a car,  
17 I don't think it was a marked police car, but it was a  
18 car, was driving in the opposite direction. And when  
19 they saw me, they turned around and started following me.  
20 And I sped up and they chased me. And I had to make a  
21 turn, and when I made the left turn, I crashed into a  
22 retaining wall.

23 Q. Okay. What happened next?

24 A. I came out of the car, everyone came out of the car.

25 Q. Okay. Did you come out of the car right away?

1 A. Yes.

2 Q. Okay. Did you reach for anything?

3 A. No, I came out of the car with my hands up. I was --  
4 I wanted it to be very clear that I was -- had my hands  
5 up.

6 Q. Okay. What about [REDACTED] and [REDACTED] do you  
7 recall?

8 A. I honestly don't recall.

9 Q. Okay. Okay. Would you know why the record seems to  
10 indicate you were reaching for a gun or you were reaching  
11 behind your seat before you came out?

12 A. No. I can only imagine that people who had just gone  
13 through what they had gone through would be pretty leery  
14 and suspicious of those of us coming out of that car.

15 Q. Okay. And by that point, was it only the, I think it  
16 was a Chief of Police by himself, or did he have backup  
17 by that point?

18 A. I don't remember.

19 Q. Okay. Okay.

20 A. I don't remember. I think there was more than one,  
21 but I honestly don't remember.

22 Q. Okay. And from what you recall, you don't recall

23 [REDACTED] or [REDACTED] saying anything to you while you  
24 were in the car?

25 A. No. I mean, other than keep driving, you know, and

1 my saying, I don't know where I'm going, and it was at  
2 that level at that point.

3 Q. Okay. And they didn't know where to tell you to  
4 drive?

5 A. No.

6 COMMISSIONER E. ALEXANDER: Okay.

7 Thank you.

8  
9 BY COMMISSIONER T. AGOSTINI:

10 Q. Thank you very much, Commissioner Alexander. Okay.  
11 So, Ms. Clark, among the many reasons for which this  
12 crime is notorious and infamous, largely for the horrible  
13 deaths of your victims here, but also at trial, yourself  
14 and, perhaps, some others, refused representation. The  
15 trial occurred without you having an attorney, perhaps  
16 some of your other co-defendants did not have attorneys,  
17 did the same thing. My understanding, as I've read  
18 through the record, is that you were fairly, I'm not sure  
19 if disrespectful in court might be a soft way of putting  
20 it, callous to the suffering and the pain of the families  
21 who were there, the wives and the children --

22 A. Absolutely.

23 Q. -- of the officers who lost their lives.

24 A. Absolutely, yes.

25 Q. And what you did was, you continued to espouse your

1 political beliefs, the ideology, that you had at the  
2 time.

3 A. Yes.

4 Q. You were -- well, rather than me put words in your  
5 mouth, why don't you tell us how you were at the trial?

6 A. I had a completely defiant mindset. I think the only  
7 thing I was -- I was certainly not yet thinking about the  
8 deaths that I contributed to. I wasn't thinking about my  
9 own situation very well either. I -- all I probably  
10 was -- all I remember thinking about was, well, I was a  
11 lousy getaway driver, so I should be a good political  
12 prisoner, you know, and so it was this rebuilding of a  
13 bravado kind of sense, and I, when I go back, when I  
14 think back to my stance in that trial, I guess I would  
15 say two things. One is that I had, you know, it was two  
16 years between it, and I could have woken up to, if not  
17 remorse, at least wanting to help myself, and I didn't,  
18 and I'm profoundly sorry for that, and I was only seeing  
19 the trial as a platform for my politics. And it wasn't  
20 until I began to rethink things, that I even thought  
21 about the fact that probably survivors of the victims  
22 were there and how they would have felt seeing this  
23 angry, self-righteous, callous person who obviously  
24 didn't care that they had lost loved ones.

25 Q. Well --

1 A. It's terrible. I mean, it's -- it's -- the whole --  
2 all of my actions that we're talking about are shameful,  
3 and I can't say this is more shameful, but there's  
4 something about it that is so appalling to me, it really  
5 is.

6 Q. And I think that many would share that viewpoint as  
7 well.

8 A. Yes.

9 Q. And so the Honorable Judge Ritter in passing sentence  
10 did remark upon the extremist views, he believed, he said  
11 that "everything that the defendants have done and said  
12 compel the conclusion that they are prepared to repeat  
13 their lawless conduct in furtherance of their extremist  
14 views, irrespective of the cost in lives and without  
15 remorse or repentance. There is no reason to believe  
16 that any of the defendants will change," and he goes on  
17 from there. What do you think of that?

18 A. I think that my behavior could absolutely lead him to  
19 feel that way, because that's what I showed at that time.  
20 And I can only imagine how he felt trying to keep some  
21 decorum in a courtroom at a time when, you know, he  
22 was -- a whole community was hurting from this crime, and  
23 I understand why he felt that I wouldn't change. I am  
24 glad that I did, but I don't think there was evidence  
25 that that was going to happen at the time.

1 Q. Okay. And I think that's a fair statement, that at  
2 that time you did appear to be void of the possibilities  
3 from what you were evincing at that point, in terms of  
4 your lack of repentance and your lack of remorse. And  
5 so, in the years since that time, when you did finally  
6 grow up --

7 A. I mean, one thing that's striking about the lack of  
8 repentance and my lack of remorse, is that it also meant  
9 that I was not even thinking about helping myself legally  
10 at a time when it could have mattered to me, and it could  
11 have mattered to my daughter.

12 Q. The other person who was on my mind as well.

13 A. Absolutely.

14 Q. And so, are you still politically driven or motivated  
15 or influenced by politics or the ideology that you had at  
16 that time?

17 A. No, no, absolutely not, I'm not. I think my shift,  
18 my change, over time was not a change from one set of  
19 politics to another set of politics. It was a change  
20 from -- that started with saying, I have to become an  
21 individual. I have to start thinking about the child I  
22 left behind, who I love. I have to start thinking about  
23 the fathers who were lost and the children who don't have  
24 their fathers. I have to start thinking about people.  
25 And not the people, which is what the politics were



1 about, but people. And I remember once saying, I'm  
2 putting my politics on -- I don't even -- the change I  
3 have to go through -- the awfulness of what I did goes so  
4 beyond politics, that I have to approach it in a deeper  
5 way of really examining myself as a person, my  
6 motivations, my relationships to people, and that came  
7 the way I think about the world. It doesn't mean that I  
8 don't have political views, but it's not what drives me,  
9 you know. People and relationships and a sense of our  
10 connection is what drives me, you know. It's just a very  
11 different way of living.

12 Q. Okay. So, do you still think that violent revolution  
13 is the way to make change?

14 A. No, I don't believe in violence. I just think that,  
15 violence begets violence, and violence begets enormous  
16 pain, and that's true on an individual level, it's true  
17 on a political level, you know, on a social level, on a  
18 larger level, and whatever -- whatever beliefs I had that  
19 were legitimate, I hurt those beliefs. I hurt anything I  
20 really was trying to fight for by the use of violence.  
21 It delegitimizes our voices when we resort to violence.

22 Q. And in those days you were clearly working against  
23 the government, and in the 38 years that you've been with  
24 us, you seem to have developed a good relationship with  
25 the government as it's been represented by the

1 administration at Bedford Hills, the programs, the  
2 Superintendents, the many employees at Bedford Hills,  
3 and, of course, the security, the guards that we have  
4 there as well.

5 A. Absolutely. And in that, I think -- it doesn't mean  
6 that I've never been in conflict, you know, with  
7 policies, but I've always said, well, if we have a -- if  
8 there's a problem, I may feel this way, or we, as  
9 inmates, may feel that way, but we have to look at the  
10 fact that they're facing the same problem from their end.  
11 And so, we have to find the place in the middle where our  
12 common interests can actually grow solutions. And I've  
13 been able to do that here and it's made a difference, but  
14 it's also just a different attitude of life.

15 Q. Okay. Well, I'd like to talk about your  
16 institutional record and your time with the department.  
17 I want to check with my colleagues if there was anything  
18 from during court or at sentencing that they wanted to  
19 discuss before we move on.

20 COMMISSIONER W. SMITH: I think you've  
21 covered that thoroughly. Thank you. I have no  
22 questions.

23 COMMISSIONER E. ALEXANDER: I agree.

24 Q. Okay. All right then. So, moving on into your time  
25 that you've been in Bedford Hills, I'm not going to go

1 over every certificate that you've received, you are very  
2 well accomplished. I have notebooks attesting to your  
3 accomplishments, particularly in founding the nursery  
4 program there that, I believe, has been replicated in  
5 other institutions and elsewhere, and with the work with  
6 Puppies Behind Bars. And so -- as well as with your good  
7 work with staff there. And with your academic  
8 achievement as well, in getting college started at  
9 Bedford Hills back in its day.

10 A. Can I just make one small...

11 Q. Yes, please.

12 A. I founded the AIDS program, I was one of the founders  
13 of ACE, and the college program, but I can't take credit  
14 for founding the nursery. That goes to Eleanor  
15 Roosevelt, who founded it in the 1930s.

16 Q. Okay.

17 A. But, I love working there.

18 Q. Okay. Well, I definitely don't want to offend the  
19 memory of Eleanor Roosevelt, and so, I appreciate the  
20 correction on that point there. But, you have been  
21 involved in the nursery program pretty much since the  
22 beginning of your time with the department.

23 A. Yes.

24 Q. Okay. I'm going to remark here, in terms of your  
25 disciplinary record, that, I believe, that in the years,

1 you know, since things became more computerized, that  
2 you've maintained a clean disciplinary record, but as  
3 happens, in the earlier years, there was some  
4 disciplinary activity. I'm going to ask -- turn it over  
5 to Commissioner Smith to talk about that with you.

6  
7 BY COMMISSIONER W. SMITH:

8 Q. Okay. Thank you, Commissioner. The -- one of the  
9 things that I found interesting with your original  
10 appearance and -- and because we spent so much time going  
11 over all of the documents, was some -- some information  
12 that was, I felt, was not known, or at least reviewed, as  
13 it relates to discipline. The individuals who had  
14 discussed the case with you last time have a lengthy  
15 period of time, but in the grand scheme of things, I've  
16 got quite a lengthy period of time, I guess, 22 plus  
17 years. And so, when I read and understood, I could  
18 understand from the transcript what was -- what was being  
19 referred to. You had made some comments, and I don't  
20 know if you recall those, but -- so, I just had a couple  
21 of -- some items of clarity more than anything. I --  
22 I -- I dug into the information, required others to dig  
23 into the information, because it's in a much different  
24 form post-computer, like in the late '80s, as it was  
25 prior to that.

1 A. Right.

2 Q. Mid and late '80s, and I knew the information was  
3 there and -- and I was able to spend -- I was able to  
4 insist that it be found. It was. And there's a lot of  
5 information I poured over. When -- when did you first  
6 get into trouble prior to the S.H.U. time?

7 A. I think I got a Tier-II ticket early on. I don't  
8 remember the actual charge of it, you might have it  
9 there, but I remember two times that I got tickets, and  
10 in both cases they were probably creating a disturbance  
11 or arguing with an officer, I would say.

12 Q. Okay. There was a -- I know there was a discussion  
13 at the last, about a, I think maybe a 15 day sanction,  
14 approximately.

15 A. Yes.

16 Q. And the -- the -- in -- in 1983, you came into the  
17 state system, is that right?

18 A. Yes.

19 Q. The -- there was a period of time where it looks  
20 like, from a disciplinary perspective, there was a  
21 January '84, so that would have been maybe three months  
22 after, three to four months after, where there was a  
23 disturbance. I don't know if you recall it, I know it's  
24 a while ago, there was a refusal to lock-in. Do you  
25 remember that?

1 A. I actually don't remember that, to be honest.

2 Q. Okay.

3 A. But, I do know that, in that first period, I had to  
4 learn how to accept the authority in every situation.  
5 The incident I remembered was one where our dryer was  
6 broken and we had clothes hanging, and the officer said,  
7 you have to take down the clothes, and I said loudly to  
8 him, well, where do you expect us to put them.

9 Q. Correct.

10 A. And, you know, I didn't understand that that was a  
11 direct challenge, you know, and I think that those  
12 incidents helped me learn how to function better in the  
13 facility.

14 Q. And a person does have to learn, it's a different  
15 situation, and that -- that was something different. The  
16 January '84, you know, just to kind of give you an idea  
17 of what was going on, I have the advantage, obviously, of  
18 saying I want to see it and here it is.

19 A. Sure.

20 Q. There was -- this happened on January 24th, and you  
21 and a group of inmates refused to follow a lock-in order.  
22 You started chanting and singing. Do you recall that  
23 now, is it a little more clear?

24 A. Yes, yes. So, I think that was an incident where we  
25 were upset because the heat had been off for a long time.

1 But, again, I think that whatever problem that is for  
2 anyone else, for me, given what I came into the facility  
3 with, I just had to learn to say, not me, you know. I  
4 might think -- you know, and I just had to learn that,  
5 and it took that first year to learn that. So, I do  
6 remember that incident, yes.

7 Q. And it gets into -- it goes in later to that,  
8 stating, you know, that you were told to get locked in,  
9 all of you, it goes on to say that you indicated you're  
10 not locking in, and, basically, like a chain reaction  
11 that it started, which is what happens with these, no  
12 matter in what facility.

13 A. Absolutely. Absolutely.

14 Q. One starts and then they all started chanting. Now  
15 you've got one correction officer and a number of inmates  
16 chanting, and ultimately there was a Lieutenant that  
17 arrived. At that point he talked the inmates to move-in,  
18 and it's indicated here you still refused to lock-in,  
19 stating that he -- we had better not put our hands on  
20 her. So, you know, a little bit of defiance and probably  
21 a little bit of, in some manner, some -- some --  
22 whether -- whether intentional or not, a little bit of  
23 defiance and kind of, I don't know if leadership is the  
24 right idea.

25 A. Grandstanding.

1 Q. Yeah, right.

2 A. Grandstanding, I agree. I don't think I would  
3 have -- I didn't remember that incident until you brought  
4 it up, but I think it was indicative of, you know, of my  
5 not yet really landing in my reality, yes.

6 Q. Okay. And I can imagine. And then to move forward,  
7 that was just, I think the 15 days is all that was  
8 mentioned, there's page 95 area for -- for original  
9 discussion of discipline, really limited discussion, and  
10 then about 152 some greater discussion. The Chair, or  
11 the main -- strike that. The main interviewer last time  
12 had gone over what's known as your custodial adjustment,  
13 okay, and she actually did it in reverse order and there  
14 was some question, was it before the S.H.U. and after the  
15 S.H.U. I don't know if you recall that. I know you  
16 probably have a lot of information. Do you sort of  
17 recall it, that she went over --

18 A. Recall that she went over custodial adjustment?

19 Q. Right.

20 A. I think that -- my memory is that she said, you seem  
21 to adjust well, and I said, well, I think it took me a  
22 while. That's sort of what I remember, that I was sort  
23 of, you know, functioning okay, but I know that until I  
24 began to deal with myself and my crime, which did not  
25 happen for two more years, you know, I was a mess.



1 Q. Okay. Now, those were all positive, those were  
2 pretty much all positive, they talk about custodial  
3 adjustment. Aside from the misbehavior report we just  
4 talked about, you get along good with peers, and your  
5 attendance and participation are acceptable, that was the  
6 first group then.

7 A. Yes.

8 Q. From '84, February to August, I think she read, your  
9 adjustment has improved, not received any infraction,  
10 relates well to staff and peers. And the involvement,  
11 program attendance is outstanding, program evaluations  
12 state her work are exemplary.

13 A. Yes.

14 Q. And then it goes on from 8/'84 to 2/'85, it talks  
15 about acceptable adjustment and just says positive  
16 things. In programs. A library, something, was  
17 outstanding, and I wish I could read it, because it's --

18 A. I worked in the library, I was a library clerk.

19 Q. Okay. So, that was there. And then -- then February  
20 to August of '86, adjustment is outstanding, program  
21 involvement is acceptable. Goes to her assignments on a  
22 regular basis. So -- and then I think the next one is  
23 after you're back from S.H.U. So, those were all read  
24 and those were all positive. During that time period,  
25 you were involved in a lot of correspondence about

1 escape.

2 A. Right.

3 Q. Which -- which that -- that was never reviewed,  
4 and -- and the thing is, I've had a lot of time to review  
5 it. Who -- who -- who were your letters written to?

6 A. People who were -- had been in May 19th who are now  
7 fugitives, that included my daughter's father, [REDACTED]  
8 [REDACTED] and they --

9 Q. Who else, who was the specific, because it's clear  
10 you're writing to one individual by in large in the  
11 planning of this?

12 A. Well, I think it was [REDACTED] that I was writing to.

13 Q. Okay. And he was writing back to you?

14 A. Excuse me.

15 Q. He was writing back to you or communicating back to  
16 you?

17 A. Yes.

18 Q. Because that's clear from what you said.

19 A. Yes.

20 Q. And this went over quite a -- quite a lengthy period  
21 of time. What would you estimate, I know what I have in  
22 front of me, but what would you estimate the number of  
23 letters that you sent out to him?

24 A. I honestly don't remember. If you had asked me, I  
25 wouldn't have even thought there were a number of

1 letters. I would have thought that was like a couple of  
2 letters at most. So, my memory of that is different than  
3 what, you know, obviously is true, so...

4 Q. What the documents are.

5 A. Yes. No, and I believe you, I'm just saying that, in  
6 my memory, I guess, because I ultimately, what I  
7 remember, was the letters that got me stuck, you know,  
8 got me to have to do a two year attempted escape, or  
9 conspiracy to escape, so that's what I remember.

10 Q. Right. And -- and you talk about, the person, if  
11 [REDACTED], some of the -- some of the -- well, I  
12 guess the specifics of where certain individuals are,  
13 buildings, vulnerability points, you indicated -- talked  
14 to the person that comes and sees you. In other words,  
15 the person who's visiting you and that is -- they would,  
16 what, take these items out, take the letters out hidden?

17 A. Yes, yes.

18 Q. Okay. And who was that person?

19 (Whereupon, the Inmate pauses.)

20 Q. You pause and hesitate, I can't -- knowing --

21 A. The only reason I'm hesitating is because I'm sure  
22 that it was a lawyer, at the time it had to be a legal  
23 visit. So, I don't remember who was visiting me legally  
24 at the time, I mean, at that time. It might have been  
25 [REDACTED]

1 Q. And she was fully aware of what was going on, because  
2 there was verbal communication, in addition to the  
3 written.

4 A. I honestly don't remember what conversations happened  
5 with her.

6 Q. Okay.

7 A. I doubt that there was a conversation with her about  
8 what I was writing about, but I honestly don't remember.

9 Q. Who in the prison knew about what you were  
10 contemplating?

11 A. No one. No one knew.

12 Q. What about [REDACTED]

13 A. Did not know until at one point I said to her, you  
14 know, I'm thinking about this, and she said, count me  
15 out. So, that was -- that was that. She really didn't  
16 want to have anything to do with me around that stuff.

17 Q. Well, in other parts of the letter, you talk about it  
18 being a good thing for you to bounce it off of someone,  
19 and she was a good person for you to bounce some of these  
20 ideas off, that's what you talk about in one of the  
21 letters.

22 A. So, she, herself, was not interested when I did talk  
23 to her, and I think that was indicated in there, but I  
24 want to say that I was trying to present myself as being  
25 very very engaged in this with these people, because I

1 was at the time being criticized about my parents having  
2 my child, my parents wanting my child, and I wanted to  
3 sort of show that I'm still right there with you, and  
4 that, you know, that was my motivation in doing that.

5 Q. And [REDACTED] was [REDACTED]

6 A. Yes, and she didn't have any, you know, my memory is  
7 that when I said something to her, she said, I'm not  
8 interested.

9 Q. Okay. Now, you had examined and written a number of  
10 items. I believe probably the letters that you received,  
11 you know, they're here and they had like a summary typed  
12 out, I don't know if you recall that, it kind of  
13 highlighted some of the major areas.

14 A. I don't think I received, let me just say, I don't  
15 think I received those letters. I think that they were  
16 with -- when they -- my letters went out to them.

17 Q. Right.

18 A. And then they kept that along with their notes, but I  
19 didn't receive back their letters, I don't believe.

20 Q. Where were they actually found?

21 A. In a safe house that got raided when -- when at least  
22 some of those individuals were arrested.

23 Q. Right. And that safe house, which I kind of already  
24 knew the answer for, was in [REDACTED], Maryland, right?

25 A. Yes.

1 Q. Whose home?

2 A. My memory would say [REDACTED] but I'm not sure  
3 that's true.

4 Q. And while you were getting these good -- these good  
5 evaluations, you were writing --

6 A. These letters.

7 Q. You were writing these letters.

8 A. Right.

9 Q. And -- and there's -- there's a listing of things  
10 that were said in those, and if you look even deeper, I  
11 actually read the documents, because there's a lot of  
12 things, like, you probably don't even remember talking  
13 about motorcycles or some sort of a motorcycle that  
14 were -- they were being used, that's not in the  
15 summaries, but it's in the originals. There's a number  
16 of instances where it is recorded that you were getting  
17 yourself in good physical shape, you had -- you had -- in  
18 a number of different letters, you had listings of where  
19 facilities were. I've been to Bedford Hills, so  
20 actually, I can -- I can recognize your -- your pictures,  
21 some of them you made updates, you talked about where the  
22 guards were, security is tighter.

23 A. Right.

24 Q. You talked about it being -- getting more intense in  
25 terms of security. You talked about vulnerabilities

1 with -- with everything from school and counts for that,  
2 to festivals, and, I mean, this is after having received,  
3 at that point, a 75-to-life sentence, right?

4 A. Yes, yes.

5 Q. It's not unusual for inmates to, you know, consider  
6 what if I could move out of here, what if I could leave,  
7 if I could be broken out or sneak out, it happens,  
8 probably to most that have life sentences, but what you  
9 did here went way beyond that. You were talking about  
10 real -- real options, real plans, including everything  
11 from ways to sneak out, to willingness to have, what you  
12 describe, as your comrades, acting in commando --  
13 commando postures. Do you know what a commando is?

14 A. Sure, absolutely.

15 Q. A commando is somebody using light -- light armor,  
16 speed, power, willingness to kill, and, I mean, this is  
17 after -- this is -- now you're, I think, 35,  
18 approximately, right?

19 A. Right.

20 Q. So now we're talking -- we're talking old enough to  
21 be the President of the United States, and you're  
22 planning -- and you talked about, I mean, you were  
23 telling this person, the willingness to kill, because you  
24 told about a guard, a CO, that would not kill you. Do  
25 you remember that? I'm trying to -- do you remember that

1 part?

2 A. I don't.

3 Q. There was a female who was unwilling to kill you.

4 And so, I mean, why after all of the time you're inside,  
5 you found that you still were willing -- I mean, to be  
6 honest with you, and tell me if I'm wrong, but it appears  
7 from the sheer volume, you had a willingness to do  
8 whatever it might take, including -- I mean, all of these  
9 wonderful -- all of these wonderful evaluations, yet  
10 you've got multiple times you're calling the same PO's  
11 pigs in your writing.

12 A. Right.

13 Q. What's going on?

14 A. I think what's going on for me in that period, and  
15 it's what I sort of alluded to the first time, is that  
16 I'm kind of -- I'm splitting, I'm kind of in two places  
17 at once. And on the one hand, I am honestly actually  
18 getting acculturated to being here and functioning here;  
19 and on the other hand, I'm completely still wanting to  
20 have this connection with this secret group, who was  
21 going to continue doing what we believed in. And I think  
22 that, in truth, I never thought that group of people  
23 could break me out, but I was perfectly willing to  
24 entertain a certain, you know, mutual fantasy about it in  
25 order to keep that sense of, like, you know, this is a



1 connection I have; and, therefore, protect myself from my  
2 reality, which was that I'm in prison and this is real  
3 and this is what I have to start to think about. It was  
4 a way of avoiding that, and while they were just letters  
5 and while I didn't think that anything would actually  
6 come of it, it could have. I mean, I've learned since  
7 that, you know, that words can lead to deeds, can lead to  
8 death and destruction. And so, it's why, when I think  
9 about what began my real shift and questioning, it was  
10 when those letters were found and I went to S.H.U. and I  
11 had to say, which also affected my visits with my  
12 daughter, and I had to say to myself, what am I willing  
13 to risk or throw away for the sake of this connection,  
14 you know, is there -- is there -- it's sort of what  
15 you're saying to me, well, this is two years after the  
16 crime and you're still in this state of mind, and I think  
17 that's what made me question that.

18 Q. Now, just a last couple of items, as it relates to  
19 this. I believe, from this, you had received two years  
20 recommended loss of good time, is that true?

21 A. It could well have been. I don't remember. I just  
22 remember the two years in S.H.U.

23 Q. Okay. And it may be that. You know, again, I have  
24 the documents, I don't expect you to recall that far  
25 back. You appealed the decision internally and it was --

1 the decision was affirmed, right?

2 A. Yes.

3 Q. Did you take any legal action on it beyond the  
4 internal?

5 A. I have a vague memory of doing an Article 78, but I'm  
6 not sure it was about that.

7 Q. Okay. And you're -- well, as I say, you know,  
8 there's indications of all sorts of areas of potential  
9 vulnerability. Tell me about [REDACTED] [REDACTED]

10 A. Say that again.

11 Q. [REDACTED] I may be  
12 mispronouncing it.

13 A. I don't know. Is it --

14 Q. Well, you were talking about Festival Days and  
15 possibilities of getting out, what the options were,  
16 sneaking versus commando style, and you said in a number  
17 of occasions, I always think of [REDACTED] [REDACTED]

18 A. I honestly don't remember. I assume that they were  
19 probably people involved in other Movements somewhere  
20 or -- I don't honestly remember who I'm referring to, but  
21 I think it's more so thinking of figures that I saw as my  
22 inspiration.

23 Q. Okay. So, had they done something similar?

24 A. I don't know, because I can't remember who they were.  
25 I honestly don't remember.

1 Q. Okay. And that's fair enough. Were you interviewed  
2 by, is it OOB?

3 A. You mean like the hearing officer?

4 Q. Well, also, you know, it says legal attorneys, pagers  
5 are checked, they can't bring in any equipment, I'll  
6 check on metal detector. Once the briefcase is checked,  
7 they can come in. Also, when I was interviewed by OOB,  
8 while it was arranged over the phone with no official  
9 credentials, she got permission to bring in a camera and  
10 a tape recorder.

11 A. OOB?

12 Q. Either OOB or DOB.

13 A. I honestly don't -- oh, that was a -- I was  
14 interviewed by -- it was a newsletter that was called  
15 OOB, yes, it was Off Our Backs, and I think I'm just  
16 saying that -- I guess what I'm saying in that is like,  
17 well, when they came in, they just were allowed to come  
18 in with their stuff. But, they had nothing to do with  
19 that.

20 Q. Are legal visitors allowed greater access then, is  
21 that --

22 A. I think back then they were allowed greater access,  
23 yes.

24 Q. Okay. As far as being checked. Okay. All right. I  
25 thank you for your --

1 A. I don't think that's any longer true, but it was  
2 then.

3 Q. All right. I thank you for your time.

4 A. Thank you. I guess I would just like to say about  
5 that --

6 Q. Sure, go ahead.

7 A. -- two things. One is that, I haven't, you know,  
8 seen that stuff for all those years, and so it's sort of  
9 shocking to hear myself again, I mean, it just is,  
10 because I have to sort of say, this is me, this is me who  
11 was there, and I -- because when I think about it, when I  
12 talk to my -- tell my story, I always say, that's the  
13 moment where I said what I just said to you, and I think  
14 it's true. So, I sort of think of it as like the  
15 beginning of change, but I want to make clear that I was  
16 only lucky that nothing ever came of any of that. I'm  
17 happy that nothing came of that. I do think that it was  
18 kind of repetition of the same mindset as my crime, and  
19 that it took that repetition for me to begin to look at  
20 things.

21 Q. And I think that there were those who were out there  
22 that were committed at the same time you were, who were  
23 probably willing -- and you talk about that as well,  
24 others coming into the group. I think there may have  
25 been those who very well would have -- would have been

1 willing to, you know, to -- to do this, among other  
2 things, that would create quite a splash. We've found  
3 that that has happened with prison breaks.

4 A. Sure, sure.

5 COMMISSIONER W. SMITH: Thank you.

6 But, thank you very much.

7 INMATE: Thank you.

8  
9 BY COMMISSIONER T. AGOSTINI:

10 Q. Thank you, Commissioner Smith. And so, Ms. Clark, as  
11 I've mentioned, I have several notebooks of certificates  
12 and accomplishment, several hundreds of letters of  
13 support, at least 250 of which are purported to be from  
14 people who know you. I know many of them are formerly  
15 incarcerated women who you helped tremendously. I have  
16 letters from former [REDACTED] [REDACTED] [REDACTED] and many  
17 other professionals who have worked with you over the  
18 decades. And so, I'm not going to go through all of them  
19 on the record.

20 A. That's fine.

21 Q. We have them here. And you have, you know, are known  
22 to many to have done a remarkable bid, to put it in plain  
23 terms. I have your Risk Assessment in front of me, you  
24 score as low risk and low need in every category. Your  
25 only elevated score being in the history of violence, it

1 seems like a fair score. The Case Plan is a nice lengthy  
2 Case Plan. It speaks to not only what you have been  
3 doing, but some of your goals for the future; in terms of  
4 work and education; a lot of the work that you have done  
5 in your clinical pastoral studies. You have boxes of the  
6 work done on the clemency, which was granted to you, an  
7 extraordinary remedy by Governor Cuomo, and a lot of  
8 information, of course, about your many years with  
9 Puppies Behind Bars and working in the nursery, and the  
10 positive impact of your efforts in both of those regards.  
11 What would you do if you were released?

12 A. One, I'm aware that it's been 38 years and I think it  
13 will take me some time to reacquaint myself to the  
14 outside world. Both of the organizations that I work  
15 with here have outside components that I would want to  
16 continue to work with. I mean, [REDACTED] [REDACTED] has always  
17 said come work with us.

18 Q. And that's at [REDACTED] [REDACTED]

19 A. And that's at [REDACTED] [REDACTED] And I also feel -- and  
20 the person, [REDACTED] who runs the Puppies Behind Bars has  
21 always said, even if I have another job, that they would  
22 love for me to -- one of the things we do is we try to  
23 bring our dogs into the city, especially, so that they  
24 can get used to being in the city, and I would take those  
25 dogs, and I said I would be happy to do that. So, I

1 think, to begin with, those are like -- that's work that  
2 I -- that has a connection between where I've been and  
3 where I'm going; and, therefore, I think it's a good  
4 place to start and it gives me a sense then of what else  
5 is out there. I think I've learned a lot from these  
6 38 years, and I'm 69, but I need to work several more  
7 years to be eligible for social security. So, that's  
8 going to be a pretty important focus. And the other  
9 thing is that I have, you know, I have a -- I want to  
10 rebuild my relationship with my daughter and with my  
11 family. They have been there for me in a profound way  
12 for all of these years. I think that my daughter, who's  
13 recently married, they want to have kids, they want to  
14 have a child, and I want to be a part of that. And so,  
15 family ties feel really important to me.

16 Q. Okay. So, you have employment, you have family, and  
17 I read a letter from [REDACTED], which was a very powerful  
18 letter that she did write in your support. In terms of  
19 housing, where would you live?

20 A. [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED],  
24 [REDACTED]  
25 [REDACTED]

1

2

3

4

.

5

Q. Okay. And so, you have a home, employment. No

6

doubt, a great deal of support as, you know, evidenced by

7

the notebooks of letters that I have. Would it be a part

8

of your plans to be a public figure, to be an outspoken

9

person, expressing any viewpoints that --

10

A. No, I think --

11

Q. -- you would want to share?

12

A. Sorry. No, I don't plan to be a public figure. I

13

think two things. One is, I'm aware that if I get out,

14

there are going to be bruised feelings in the victim

15

community, and I don't want, you know, I don't want to

16

pour more salt on any wounds. And most of the time I've

17

been here, I've also -- I've done a lot of work for a

18

long time without it becoming public. Once I tried to

19

get, you know, tried to get clemency, it became more

20

public. But, I think that I'm going out with a sense of

21

gratitude, if I leave, and a sense of having to be aware

22

of the feelings of others in the community about that,

23

and not going out to become a public speaker about

24

anything.

25

Q. Okay. Well, gratitude and humility are good



1 qualities to pursue.

2 A. The only other thing I would say is that, as I've  
3 always said, working with, you know, parole and being  
4 clear about my parameters, I would continue to offer any  
5 kind of victim/offender dialogue that anyone felt that  
6 they would want to have, and in one way or another, I  
7 think that that will also keep me honest, you know. I  
8 don't leave forgetting, you know, I don't leave the crime  
9 behind. I take my responsibility with me.

10 Q. Okay. I just want to remark among the letters, that  
11 you do have close family and extended family between  
12 siblings and cousins and your daughter.

13 A. Yes.

14 Q. So, there's a large number of family members who have  
15 written in support; in addition to friends;  
16 professionals; formerly incarcerated and such; members  
17 from the legal community, a great number of members from  
18 the legal community who have written; in addition to  
19 members from the faith-based community; and members from  
20 Rockland County itself; a number of elected officials in  
21 every level of government from the city to the state to  
22 the federal government; and a wide swath of members from  
23 the community have written in your favor. And as you are  
24 well aware, a wide swath of members from the community,  
25 officials from various levels of government as well have

1 written in opposition to your release.

2 A. Yes.

3 Q. I'd like to ask my colleagues if they have any  
4 questions that they would like to ask you.

5  
6 BY COMMISSIONER W. SMITH:

7 Q. Well, I think, number one, you did have a successful  
8 appeal, so you do have a good idea, I'm assuming, your  
9 attorneys have shared with you, and you have letters from  
10 all over the place, from -- from individuals, from  
11 community, from people that know you directly, people  
12 that have no connection with you whatsoever. It is, you  
13 know, there is -- there is a lot to consider as we review  
14 this. I know, and I'll just give you an indication, we  
15 have a letter from four Commissioners, three who I worked  
16 with and respect. In the same sense, they know some of  
17 you. They don't know, I guarantee you they don't know  
18 everything I got that's been sitting in front of me for  
19 the last two weeks, and that's why we don't do this with  
20 a computer. We have a COMPAS that we reviewed, which is  
21 good, but they just don't know what I've seen.

22 A. Right.

23 Q. They don't know what we've gotten, and that's, again,  
24 that's respecting who they are.

25 A. Correct.

1 Q. And -- and we get letters from a lot of individuals.  
2 The ones that are most important are indications from  
3 you. If somebody says, hey, come live in my house. If  
4 they say, hey, you can watch my granddaughter. Your  
5 daughter's letter is powerful, it really is, and it shows  
6 a lot of wisdom. And on the same sense, there are those  
7 who, you know, have -- have -- are paying really the  
8 price for what occurred.

9 A. Absolutely.

10 Q. And so, although there's all of this documentation, I  
11 give -- I give it, all of the documentation, the weight  
12 that it's due. That's kind of what we're charged to do  
13 under the law.

14 A. Absolutely.

15 Q. And -- and there's certainly positive and not  
16 positive, but, you know, as Commissioner had said, there  
17 is a lot that you've been involved in. I don't know what  
18 we're going to do. If we release you and you violate,  
19 that's why discipline to me is a very important thing, if  
20 you violate, you know, based on the nature of the  
21 violation, you could be held. Today we can release you  
22 or we can hold you. Do you know what the longest is that  
23 we can hold you today, do you know the longest time we  
24 could impose a hold today, the longest?

25 A. I assume two years.

1 Q. Correct. You're absolutely right. You're right.  
2 And then if we were to release you and you violated,  
3 what's the longest at a single time you could be held?

4 A. Two years. I'm not sure.

5 Q. No. And I say this, this is kind of a tape that I  
6 give to my individuals who come in front of me with --  
7 with a life sentence. You can get a hold imposed as long  
8 as is deemed appropriate.

9 A. As my sentence, correct, correct.

10 Q. I've -- I've -- we -- we, within the last month,  
11 we've imposed many holds beyond two years. We had a hold  
12 that was beyond two years and one member of this Panel  
13 just -- we were questioning about it, and then another  
14 member of the Panel agreed it may have been too long, so  
15 we were able to reduce it. We can't -- we can't increase  
16 it if it's a violation on the outside, but, I mean,  
17 I've -- I've done many that are three, five, ten years  
18 in -- in one stroke of the pen.

19 A. Sure, I understand, absolutely.

20 Q. So, the liability is gigantic.

21 A. Yes.

22 Q. And -- and I think, you know, there are other  
23 dynamics you can imagine, a lot of this is common sense,  
24 right?

25 A. Yes.

1 Q. Okay. So, I just want to caution you in that regard.

2 A. Can I just speak to that for a minute?

3 Q. Certainly.

4 A. Speak to two things you said. One is, in terms of,

5 like, sort of what people know about me and what they

6 don't, one of the things that I have tried to do,

7 including talking about those letters, is to say, this

8 was who -- I mean, I couldn't -- I couldn't make the

9 changes I made if I didn't say, this is what I did and

10 here's how I understand why I did it. As crazy as it

11 feels to me now, it's still me who did it, and I think

12 that's why someone like [REDACTED] [REDACTED] [REDACTED]

13 [REDACTED] -- it

14 took her a very very very long time before she could

15 feel, even within the parameters of the prison, that I

16 could become trustworthy, as someone who was going to be

17 honest, and fully without having any undercover agendas.

18 And I think that that's what I learned from that, is

19 having to be one person with one sensibility. And the

20 only other thing I wanted to say is, I just spent --

21 someone visited me who had done -- a man who I didn't

22 know, he came because he was involved with interns from

23 the pastoral program, but he had done 20 years and he

24 said that -- he started out a gangbanger and then he got

25 into college and he changed, but he talked about being

1 out, and he said that when he went to his -- every parole  
2 officer he's ever had, what he would say to them is, he  
3 would say, I am never going back to prison, therefore,  
4 tell me what I need to do and not do to ensure that that  
5 is my future. That would be my approach. I am going to  
6 go to my parole officer and I'm going to say, I have  
7 spent 38 years in prison, I would like to spend the rest  
8 of my time outside, what do I need to do and not do in  
9 order to do that. And there's no -- there's no veering  
10 from that, as far as I'm concerned. And the only other  
11 thing I want to say is that, I know I have this record of  
12 all of this good work, but I want to make -- I want to  
13 make clear that my good work is because -- is my way of  
14 saying, I owe that to the victims, you know, it's driven  
15 by saying, I did something that I can't take back, so I  
16 have to make some meaning as how I feel about that, and  
17 what they're going through. And so, it's infused with my  
18 feelings about them.

19 COMMISSIONER W. SMITH: Okay. Thank  
20 you. Thank you, Commissioner.

21 COMMISSIONER T. AGOSTINI: Thank you,  
22 Commissioner. Thank you, Ms. Clark. And so, I want  
23 to ask Commissioner Alexander at this time if she  
24 has any questions or remarks.

1 BY COMMISSIONER E. ALEXANDER:

2 Q. I do. I think you just said some powerful things to  
3 Commissioner Smith, and I appreciate that. He questioned  
4 you pretty hard about that period of time when you were  
5 coming to grips or learning to, I guess, go on with the  
6 rest of your life, when you were still thinking about  
7 escape or not ready to move on. Have you -- at that  
8 point, I think the ringleader was still at large, right,  
9 he was caught about six years later, [REDACTED]?

10 A. I think that he might have already been caught, but  
11 I'm not sure. I thought he was caught early on, but I  
12 might be wrong. I might be wrong.

13 Q. And I might be wrong, too.

14 A. Yes, yes.

15 Q. But, I guess my question is, were you ever asked if  
16 you had any information about anyone else who was at  
17 large?

18 A. Only at the time of arrest.

19 Q. Okay.

20 A. Only at the time of arrest.

21 Q. So, no one came into the prison ever or you never  
22 volunteered any information to help get the people who  
23 were still at large?

24 A. No, no, and I -- no.

25 Q. Okay. Do you know if there are any fugitives still

1 at large?

2 A. I absolutely don't think there are any fugitives  
3 still at large, but I'm only saying that based in -- sort  
4 of public record, you know, in terms of how the trials  
5 proceeded, not because of any personal information.

6 Q. Okay. And I appreciate the fact that what you said  
7 to Commissioner Agostini, that you don't want to be  
8 public, you don't want to be a lightning rod, but it's  
9 fair to say that, you know, you don't have the ability to  
10 do this, but we do, if you Google your name, you are a  
11 public figure, right?

12 A. Yes.

13 Q. And there's actually a website which says, "What can  
14 you do to help Judy."

15 A. Sure.

16 Q. Did you authorize that?

17 A. I didn't particularly authorize the website, but the  
18 people who supported me, wanted to be able to -- it took  
19 an enormous effort to build the kind of network of  
20 support first to gain clemency, and then to try to  
21 address public perceptions that would affect my board.  
22 And I think that we tried to do what we could to build  
23 that support. At the same time, I've spent a lot of time  
24 saying no to a lot of media offers at the same time, and  
25 that's been my balance, you know, to try to figure out --



1 I have -- I always say, and I try to act to remember, and  
2 many times when people come and say we want to make a  
3 movie, what I say is, the heros of this story are not  
4 here, they're in that community, and go talk to them.

5 Q. Okay. And I think that's fair. And I did read your  
6 apology letter, I've read some of the articles you've  
7 written. I know that you became a chaplain and you've  
8 worked hard on issues of remorse and many sorts of  
9 things. So, I guess my question is, we have a lot of  
10 victims, and because of the lawsuit, you know about a lot  
11 of the opposition. What would you say to them, I mean,  
12 their family members are never coming home, why do you  
13 deserve to go home?

14 A. Well, the first thing I would say to them is how  
15 deeply sorry I am. I mean, that's what I have to say to  
16 them more than anything else, is that I am sorry and will  
17 feel enormous regret and responsibility to them forever.  
18 That's what I feel like I need to say to them. And I  
19 also completely understand their feelings about not  
20 wanting to see me out, that that's understandable for  
21 them to feel that, because as you say, their losses are  
22 forever. What I would say to them or to anyone is that I  
23 think it's important to believe in a system, where we can  
24 both be punished and changed, and that when change is  
25 real and happens and we've paid, you know, we've paid a

1 big price, I've been in prison for 38 years, I'm 69 years  
2 old, but more importantly than that, that I have done the  
3 work that you have to do to change from the person who  
4 committed that crime. And that letting me out is a way  
5 to symbolize the potential for change and the recognition  
6 that when you do wrong, you get punished, and when you  
7 try to make amends, that it's recognized, and that it can  
8 give hope to others as well. I'm not sure I'd ever say  
9 all of that -- I think to the victims I would say, I  
10 understand why you feel the way you feel, because that's  
11 what's true for them, I understand that they feel that  
12 way.

13 COMMISSIONER E. ALEXANDER: Okay.

14 Thank you.

15  
16 BY COMMISSIONER T. AGOSTINI:

17 Q. Thank you, Commissioner. And so, Ms. Clark, as we  
18 come to a close here, I have read through and will  
19 continue to consider not only the remarks of the  
20 sentencing Court and its minutes, but in the letters that  
21 we have received from the Court, from the District  
22 Attorney's office, letters from your own attorneys, who  
23 we have received, who have done a remarkable job in  
24 organizing and presenting the materials on your behalf,  
25 the various packets and letters from both of your

1 attorneys. And so, we're going to take all of the  
2 materials in the file and the record into consideration.  
3 I give the last word to you, what else would you like us  
4 to know?

5 A. One, that I feel very very fortunate to be speaking  
6 before you today, that this is a privilege that I  
7 couldn't even fathom only a couple of years ago, and I  
8 take that seriously. Two, that I so deeply feel pained  
9 when I have to go back and think about all of the people  
10 who suffer forever for this, and that I truly do know  
11 that their -- that their losses are permanent in many  
12 ways, including the loss of life. And that wherever I  
13 am, my life has to be about affirming life and respecting  
14 the lives of others, and that's a promise I can make to  
15 you, that's a promise I can make to the victims, and it's  
16 something that I will say to anyone who ever -- and have  
17 said and will continue to say to anyone who ever has any  
18 bravado about my crime. I have nothing other than  
19 enormous remorse for that crime.

20 Q. Okay. Well, that is well said. I thank you for the  
21 interview, for everything that has been put together on  
22 your behalf. If there are no more questions, then we  
23 will close the record.

24 A. Can I say one other thing? I'm sorry.

25 Q. You may.

1 A. Okay. When I talk about victims, and it's true there  
2 are many victims, but for me, the thing that I wrote on  
3 my paper when I walked in is a list, [REDACTED]  
4 [REDACTED] and [REDACTED] that's the list that I feel  
5 responsible to, and they lost their lives and I'm sorry  
6 for it. And the list includes Officer [REDACTED] it  
7 includes [REDACTED] it includes [REDACTED] it  
8 includes [REDACTED] and that's -- that's the beginning  
9 of where I start from and it's where I want to end in  
10 this, because I honor them and I am sorry for the losses  
11 and the deaths.

12 Q. All right. Well, I thank you once again. We will be  
13 deliberating and you will get a decision in the near  
14 future.

15 A. Thank you. Thank you very much.

16 Q. Thank you very much. Have a good day.

17 (Whereupon, the Inmate was excused.)

18 (After due deliberation by the Parole Board  
19 Panel, the following decision has been rendered:)

20

21

22

23

24

25

1  
2 DECISION

3  
4 Open date 5/15/2019 or earlier.  
5

6 This release decision should not be interpreted as  
7 mitigating the serious nature of your offense or in any  
8 way to forgive your role in the 1981 robbery of the  
9 Brinks armored truck in [REDACTED] New York that resulted in  
10 Sergeant [REDACTED] Officer [REDACTED] and Brinks  
11 guard [REDACTED] being violently killed. Others were  
12 seriously injured and scarred for life. There are long  
13 suffering survivors of this crime who are the victims,  
14 wives, children, and family, first responders, and the  
15 larger community of Rockland County. You were wrong.  
16 Your behavior was criminal. Your callous disregard for  
17 the well being of some, in favor of others, is a  
18 disgrace. However, this release decision is granted in  
19 keeping with applicable factors and principles including,  
20 but not limited to: Your advanced age of 69, your  
21 original sentence of 75 years to life ordered in part by  
22 your unrepentant behavior and refusal of counsel, your 38  
23 years of time served, the clemency granted to you in  
24 2016, your good institutional record including  
25 programmatic achievements on your own behalf such as

1 post-secondary education and pastoral studies, and your  
2 efforts on behalf of others including the founding of the  
3 AIDS Counseling and Education program, your decades of  
4 work in the nursery program mentoring new mothers, your  
5 efforts to secure the services of a college to serve the  
6 inmate population, and your many years training service  
7 dogs for veterans and law enforcement. We have also  
8 considered your early serious discipline which occurred  
9 in 1985, your documented efforts to apologize to your  
10 victims and the community that can be traced back to  
11 1992, and your disavowal of the political ideologies and  
12 methods you developed in your youth. Further, we  
13 considered your low risk assessment scores, your Case  
14 Plan, documentation submitted in your favor by officials  
15 and numerous professionals in the corrections, legal,  
16 academic, and faith based communities among many others,  
17 and the documentation submitted in opposition by  
18 officials and numerous professionals in law enforcement  
19 among many others. Carefully reviewed and considered are  
20 the official letters from the District Attorney and the  
21 sentencing court as well as the remarks of the judge in  
22 the sentencing minutes, the prosecuting attorney and your  
23 parole release packet, binders and supplemental material  
24 submitted by your attorneys and their letter.  
25 Additionally considered were your release plans that

1 include housing, employment, resources and support.

2 After an extensive interview, review of the record  
3 and deliberation, this panel finds that there is ample  
4 evidence of rehabilitation, remorse and transformation  
5 and we conclude that you are likely to remain at liberty  
6 without once again violating the law and that your  
7 release is compatible with the welfare of the overall  
8 community. In view of this evidence of transformation  
9 and serving 38 years in prison, we no longer believe that  
10 your release would so deprecate your offense as to  
11 undermine respect for the law.

12 Commissioners Agostini and Alexander concur.

13  
14 Commissioner Smith dissents:

15 Following a personal interview, record review, and  
16 deliberation, I dissent with the panel majority decision  
17 to release you on parole at this time.

18 By law, Commissioners of the Board of Parole  
19 determine the weight given to the statutory factors.  
20 Release at this time would deprecate the seriousness of  
21 the offenses and undermine respect for the law.

22 Among the mitigating factors in favor of release are  
23 your program accomplishments, as well as support from  
24 family and close friends. Your document submissions, low  
25 COMPAS scores, and residential/release plans were also

1 considered.

2 Aggravating factors against your release include the  
3 excessive violence of the instant offenses of Murder  
4 2nd/Robbery 1st, and the escalation they represent from  
5 your prior criminal conduct in the state of Illinois. In  
6 addition, your willingness to engage in a plan to escape  
7 after the convictions is disturbing. That plan was  
8 discussed in a limited fashion during the parole  
9 interview. However, the detailed planning and  
10 capabilities of your associates in the revolutionary May  
11 19th Communist Organization remain troubling.

12 I find most compelling the impact on the families and  
13 loved ones of Police Officer [REDACTED] Police  
14 Sergeant [REDACTED] and Guard [REDACTED] who were  
15 viciously executed.

16 In time, the thousands of written comments in  
17 opposition and in favor of your release will be put in  
18 storage. Media coverage will lessen.

19 What will not diminish is the loss felt by the loved  
20 ones of [REDACTED] [REDACTED] and [REDACTED]. The sounds of their  
21 weeping will remain.

22 I vote to deny your release at this time.

23 Commissioner W. William Smith, Jr.

24 April 5, 2019  
25



1 Special conditions of release:

2  
3 I will seek, obtain, and maintain employment and/or  
4 an academic/vocational program.

5 I will abide by a curfew established by the Parole  
6 Officer.

7 I will not associate in any way or communicate by any  
8 means with ([REDACTED])

9 [REDACTED]

10 [REDACTED]

11 [REDACTED] without the permission of the Parole Officer.

12 I will not associate in any way or communicate by any  
13 means with [REDACTED]

14 [REDACTED]) without the  
15 permission of the Parole Officer.

16 I will not associate in any way or communicate by any  
17 means with [REDACTED] without  
18 the permission of the Parole Officer.

19 Geographic.

20 That you will not seek to retell and financially  
21 profit from your crime and thereby further exacerbate its  
22 tragic impact upon your victims.

23

24

25

## C E R T I F I C A T I O N

I, Anthony D'Ambrosio, a Certified Shorthand Reporter, hereby certify that the proceeding in the above matter was taken by me stenographically and then transcribed to the best of my ability.

*Anthony Dambrosio*

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Anthony D'Ambrosio, CSR